

1981 Assembly Bill 66

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CHAPTER 20, Laws of 1981  
(Vetoed in Part)

AN ACT to amend and revise chapter 20 of the statutes, and to make diverse other changes in the statutes, relating to state finances and appropriations, constituting the executive budget bill of the 1981 legislature, and making appropriations.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1b. 5.35 (2) of the statutes is amended to read:

5.35 (2) VOTING BOOTHS. There shall be one voting booth for every 200 electors who voted at the last general election. The booths shall ~~be constructed at least 24 inches on a side,~~ have a shelf surface on which to write ~~on~~ or work and be sufficiently enclosed to assure privacy for the elector and anyone lawfully assisting the elector while marking, punching or labeling the elector's ballot.

SECTION 1c. 5.58 (3) of the statutes is amended to read:

5.58 (3) NAMES ON SPRING BALLOT. Only 2 candidates for state superintendent, for any judicial office, for any elected seat on a metropolitan sewerage commission, and in counties over 500,000 population only 2 candidates for member of the board of supervisors within each district, in 1st class cities only 2 candidates for any at-large seat and any combined aldermanic district seat as are to be elected to the board of school directors, ~~and in counties over 500,000 population only 2 candidates for a member of the county board of supervisors in school districts electing school board members to numbered seats, or pursuant to an apportionment plan or district representation plan, only 2 school board candidates for each numbered seat or within each district, and twice as many candidates as are to be elected members of ~~the board of education~~ other school boards or other elective officers receiving the highest number of votes at the primary shall be nominees for the office at the spring election. Only their names shall appear on the official spring ballot.~~

SECTION 2c. 11.25 (3) of the statutes is amended to read:

11.25 (3) No moneys solicited for political purposes and reported under this chapter may be invested for the purpose of producing income unless the investment is in direct obligations of the United States and of agencies and corporations wholly owned by the United States, commercial paper maturing within one year from the date of investment, preferred shares of a corporation ~~or,~~ an interest-bearing account at any financial institution as defined in s. 705.01 (3) or securities of an investment company registered under the federal investment company act of 1940 (15 USC 80a) and registered for public offer and sale in this state of the type commonly referred to as a "money market fund".

SECTION 2e. 13.09 (2) of the statutes is repealed.

SECTION 2m. 13.09 (4) of the statutes is created to read:

13.09 (4) The joint committee on finance shall receive reports submitted under ss. 13.095, 13.105 (intro.), 13.106 (1) (intro.) and (2), 13.94 (1) (a) and (b), 14.27 (3), 16.004 (2) and (7) (b), 16.04 (1) (d), 16.40 (14), (15) and (16), 16.50 (3), 16.54 (5) and (8), 16.82 (4) (c), 16.97 (3), 20.002 (10), 20.235 (1) (g), 20.505 (5) (a), 23.31 (1), 35.03 (6), 36.25 (16) (c), 38.06 (3) (c), 39.16 (2) (im), 39.377 (3), 46.03 (18) (a), (24) and (26) (intro.), 49.45 (2) (a) 8 and 16 and (b) 2, 51.42 (10) (f), 51.437 (14) (f), 115.781, 230.08 (4) (c), 232.15 (1) and (2), 234.25 (1) and 560.11 (2) (b) 2 and (4).

SECTION 2n. 13.10 of the statutes is renumbered 13.093 and ~~13.093 (2) (b)~~ as renumbered, is amended to read:

~~13.093 (2) (b) Executive An executive budget bill introduced under s. 16.47 (1) or 16.475 is exempt from the fiscal estimate requirement under par. (a) but shall, if they contain it contains a provision affecting a public retirement fund, affecting state debt or revenue obligations or providing a tax exemption, be analyzed as to those provisions by the respective joint survey committee. If such a bill contains a provision affecting state debt or revenue obligations or providing a tax exemption, the bill shall be simultaneously referred to the respective joint survey committee and the joint committee on finance. The report of the joint survey committee on debt management and of the joint survey committee on tax exemptions shall be prepared within 60 days of introduction for bills a bill introduced under s. 16.47 (1) and within 30 days of introduction for bills a bill introduced under s. 16.475.~~

Vetoed  
in Part

SECTION 3b. 13.10 (title) of the statutes is created to read:

**13.10 (title) Joint committee on finance approvals.**

SECTION 3c. 13.10 (5) of the statutes is created to read:

13.10 (5) Appropriation changes approved by the joint committee on finance shall be reported to the department of administration and expenditures therefrom shall be shown in the state budget report as an additional cost of the state agency or programs to which the changes were made.

SECTION 3d. 13.101 (title) of the statutes is amended to read:

**13.101 (title) Joint committee on finance appropriation changes.**

SECTION 3e. 13.101 (1) of the statutes is renumbered 13.10 (1) and amended to read:

13.10 (1) Except as otherwise expressly provided by law, all matters before the joint committee on finance which require the affirmative action of the committee, except those related to the receipt of reports for which no committee action is required and except those related to the drafting, introduction, consideration, modification, adoption, rejection, enactment or defeat of any bill, resolution, amendment, fiscal estimate or nomination, shall be considered by the committee according to the procedures under this section. The joint committee on finance shall hold regular quarterly meetings and shall hold special meetings upon call of the governor or upon call of the chairmen for the purposes of ~~exercising its functions~~ considering matters under this section.

SECTION 3f. 13.101 (1) of the statutes is created to read:

13.101 (1) Following the procedures under s. 13.10, the joint committee on finance may take action under this section.

SECTION 3g. 13.101 (2) of the statutes is renumbered 13.10 (2) and amended to read:

~~13.10 (2) Requests made under subs. (3) to (4m) for an appropriation change under s. 13.101 in an amount not exceeding \$5,000 and requiring immediate committee action may be resolved by mail ballot to be formally recorded at the next ensuing special or regular meeting. The committee may employ such assistants as it deems necessary and~~

fix their compensation. For the purposes of this section the secretary of administration, or a designated representative, shall serve as secretary of the committee. The state auditor and the director of the legislative fiscal bureau, or their designated representatives, shall attend such meetings if the committee requests.

SECTION 3h. 13.101 (3) of the statutes is renumbered 13.101 (3) (a), and 13.101 (3) (a) (intro.) and 3, as renumbered, are amended to read:

13.101 (3) (a) (intro.) The committee may supplement, from the appropriations under s. 20.865 (4), the appropriation of any department, board, commission or agency, which is insufficient because of unforeseen emergencies or insufficient to accomplish the purpose for which made, if the committee finds that:

3. The purposes for which a supplemental appropriation ~~or transfer~~ is requested have been authorized or directed by the legislature.

SECTION 3i. 13.101 (3) (b) of the statutes is created to read:

13.101 (3) (b) The committee may supplement an appropriation only for the fiscal biennium during which the committee takes the action to supplement the appropriation.

SECTION 3k. 13.101 (4) of the statutes is amended to read:

13.101 (4) The committee may transfer between appropriations and programs if the committee finds that unnecessary duplication of functions can be eliminated, more efficient and effective methods for performing programs will result or legislative intent will be more effectively carried out because of such transfer ~~and~~, if legislative intent will not be changed as the result of such transfer and the purposes for which the transfer is requested have been authorized or directed by the legislature. The authority to transfer between appropriations includes the authority to transfer between 2 fiscal years of the same biennium, between 2 appropriations of the same agency and between an appropriation of one agency and an appropriation of a different agency. No transfer between appropriations or programs may be made to offset deficiencies arising from the lack of adequate expenditure controls by a department, board, institution, commission or agency. The authority to transfer between appropriations shall not include the authority to transfer from sum sufficient appropriations as defined under s. 20.001 (3) (d) to other types of appropriations.

SECTION 3m. 13.101 (5) and (6) of the statutes are renumbered 13.10 (3) and (4) and amended to read:

13.10 (3) All requests for ~~loans under sub. (4m), supplemental appropriations or appropriation transfers~~ action by the committee shall be filed with the secretary of the committee in writing and shall contain a statement of the ~~amount~~ action requested, the purposes therefor, the statutory provision authorizing or directing the performance of the ~~function action, the nature of the emergency,~~ and such other information as the committee may require. The governor shall submit a recommendation on the request to the committee. The committee shall afford all such requests a public hearing and the secretary of the committee shall give public notice of the time and place of such hearing.

(4) All ~~loans under sub. (4m), grants of supplemental appropriations or transfers between appropriations~~ actions under this section shall be determined by a roll call vote. A copy of the minutes shall be signed by the secretary and approved by the presiding officers and be transmitted to the department of administration, the state auditor and the legislative reference bureau. ~~The minutes shall contain a statement of the findings of fact specified under sub. (3), (4) or (4m) and that a public hearing was held after the requisite notice.~~ All ~~loans under sub. (4m), transfers of appropriations and grants of supplemental appropriations~~ requests for action by the committee under this section may be approved in whole or in part by the governor and the part approved shall be so ordered, and the part objected to shall be returned to the committee for reconsideration. The chairmen of the committee shall call a meeting or conduct a mail ballot within 10 days of

the receipt of the governor's objection and if, after reconsideration, two-thirds of the members of the committee by a roll call vote or recorded ballot sustain the original action it shall be so ordered by signature of the chairmen of the committee.

SECTION 3n. 13.101 (7) (a) of the statutes is renumbered 13.101 (5) and amended to read:

13.101 (5) The committee ~~acting under this section~~ may allot moneys under s. 20.865 (4) (a), (g) and (u) to any state activity to which a federal project has been granted. ~~Allotments made by the committee under this subsection shall be certified to the department of administration and expenditures therefrom shall be shown in the state budget report as an additional cost of the state agency or programs to which allotments were made.~~

SECTION 3p. 13.101 (7) (b) of the statutes is renumbered 13.101 (6) and 13.101 (6) (a), as renumbered, is amended to read:

13.101 (6) (a) As an emergency measure necessitated by decreased state revenues and to prevent the necessity for a state tax on general property, the committee ~~acting under this section~~ may reduce any appropriation made to any board, commission, department, the university of Wisconsin system or to any other state agency or activity by such amount as it deems feasible, not exceeding 25% of the appropriations, except appropriations made by ss. 20.255 (1) (cc), (cf) and (fg), 20.395 (1), (3), (4) and (5) (aq) to (ax) and (6) (aq) and (ar), 20.435 ~~(1) (e)~~, (2) (d) and (4) (a), (d) and (e) or for forestry purposes under s. 20.370 (1), or any other moneys distributed to any county, city, village, town or school district. Appropriations of receipts and of a sum sufficient shall for the purposes of this section be regarded as equivalent to the amounts expended under such appropriations in the prior fiscal year which ended June 30. All functions of said state agencies shall be continued in an efficient manner, but because of the uncertainties of the existing situation no public funds should be expended or obligations incurred unless there shall be adequate revenues to meet the expenditures therefor. For such reason the committee ~~acting under this section~~ may make reductions of such appropriations as in its judgment will secure sound financial operations of the administration for said state agencies and at the same time interfere least with their services and activities.

SECTION 3q. 13.101 (7) (c) of the statutes is renumbered 13.101 (7) and amended to read:

13.101 (7) Whenever in the statutes an appropriation or a portion of an appropriation is available only upon release by the committee, such moneys shall be made available by the committee at such times and in such amounts as the committee may determine to be necessary to adequately provide for the purposes for which they are appropriated, with due regard for the whole amount available for such purposes. ~~The release, unless otherwise specified by statute, shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).~~ If the provision relating to release by the committee is invalid, the appropriation or portion of the appropriation which is subject to such release shall not be invalidated but shall be considered to be made without any condition as to time or manner of release.

SECTION 3qm. 13.101 (7) (d) and (e) of the statutes are renumbered 13.101 (8) and (9), respectively.

SECTION 3r. 13.101 (8) of the statutes is repealed.

SECTION 3s. 13.101 (9) of the statutes is renumbered 13.09 (3).

SECTION 3t. 13.101 (10) of the statutes is renumbered 13.09 (5) and amended to read:

13.09 (5) Within one week after the general election in November of those years in which gubernatorial election is held, if the incumbent governor is not reelected, the committee shall convene and approve a budget for the newly elected governor to enable the

incoming governor to review and analyze the budget, to hire staff and obtain space, and to do such other tasks as the committee approves. Funds approved by the committee shall be released to the office of the governor from the appropriation under s. 20.525 (1) (a) and any staff employed or expenses incurred by the incoming governor shall be charged to that appropriation. Employees of the incoming governor shall be placed on the payroll of the office of the governor. The procedures under s. 13.10 do not apply to this subsection.

SECTION 3v. 13.101 (12) of the statutes is renumbered 16.004 (8) (b) and amended to read:

16.004 (8) (b) ~~The joint committee shall receive a report and recommendation from the secretary of administration in March of the even-numbered year relating to rental rates for state-owned housing as required under s. 16.004 (8) and on finance, following its review, the committee shall approve a rental rate structure to govern rental rates for state-owned housing for the subsequent 2-year period beginning July 1 of such even-numbered year.~~

~~SECTION 7c. 13.48 (8) of the statutes is created to read:~~

**Vetoed in Part** 13.48 (8) ~~CONVERSION OF MENTAL HEALTH INSTITUTES PROHIBITED. The commissioner may not authorize the remodeling, reconstruction, conversion of, or addition to, any part of a mental health institute as defined under s. 51.01 (12) for use as a medium, medium/maximum or maximum security correctional institution.~~

~~SECTION 7m. 13.487 of the statutes is created to read:~~

**13.487 Building commission approval of certain debt obligations.** (1) On or after the effective date of this section (1981), the issuance of debt obligations under chs. 66, 67 and 234 is subject to approval of the building commission for purposes of 26 USC 103A (g), if the moneys raised are to be used to fund loans secured by mortgages on owner-occupied residences.

(2) The building commission may approve the issuance under chs. 66 and 67 of debt obligations to fund loans secured by mortgages on owner-occupied residences in an amount in any year not to exceed the greater of \$20,000,000 or 0.9% of the average annual aggregate principal amount of mortgages executed during the preceding 3 years for single-unit owner-occupied dwellings in this state.

SECTION 7r. 13.488 (7) (b) of the statutes is amended to read:

13.488 (7) (b) Final approval by the commission for the construction of any facility at state fair park shall be contingent upon a finding by the commission that the proposed project is consistent with the overall objectives of the state fair park and that actual lease commitments and the probability of future lease commitments are such that the commission may reasonably determine that the facility will be completely self-amortizing, including principal and interest payments covering the life of any bond issue.

~~SECTION 7s. 13.489 of the statutes is created to read:~~

~~13.489 Transportation projects commission. (1) CREATION. There is created a transportation projects commission consisting of the governor, who shall serve as chairperson, and 3 senators and 3 representatives to the assembly appointed as are the members of standing committees in their respective houses. The 2 major political parties shall be represented in the membership from each house. One citizen member shall be appointed by the governor to serve at the governor's pleasure. The secretary of the department of transportation and the secretary's designate shall be nonvoting advisory members. The members are liable only for misconduct. Nonlegislator members of the commission shall be reimbursed for actual and necessary expenses incurred as members of the commission, from the appropriation under s. 26.395 (5) (a).~~

**VETOED**  
(3) **SPECIALIZED SERVICES.** The commission may contract for such engineering, consulting, surveying or other specialized services from private sources as it finds necessary to carry out its functions. Any such contract is exempt from all provisions of ch. 16, except s.

16,754. The cost of such services shall be paid from the appropriate program appropriation under s. 20.395.

(4) BIENNIAL REPORT. The commission shall report to the legislature at each regular session the progress on projects authorized by it in the 2 preceding and current biennia including the total project budget, the encumbrance and expenditure to date, and the unencumbered balance remaining for each project. Such report shall either be made as part of the biennial transportation projects program or shall accompany its submission. The report shall be so organized as to provide the legislature with a complete picture of the results of its past decisions regarding the state's transportation projects program which will serve as background for making further decisions.

(5) DEPARTMENT TO REPORT PROPOSED PROJECTS. The department of transportation, whenever it contemplates a project requiring the approval of the commission under sub. (8), shall report its proposal to the commission on such date and in such manner as the commission prescribes.

(6) ASSISTANCE TO COMMISSION. The department of transportation shall assist the commission in the performance of its duties. The department of transportation shall, when requested by the commission, make or cause to be made such studies, preliminary plans and specifications and cost estimates with respect to any proposed project as are necessary to permit the commission to consider intelligently the approval or disapproval of the project and the appropriation of funds. The costs of such studies shall be charged to the appropriate program appropriation under s. 20.395.

(7) REVIEW OF PROJECTS. All reports submitted as provided by sub. (5) shall be reviewed by the commission, which shall make its report as soon after February 1 of each odd-numbered year as is possible. Such report shall include specific recommendations and establish priorities for the next 3 biennia from among all projects submitted which the commission deems essential and shall recommend additional appropriations if necessary for the execution thereof.

(8) COMMISSION APPROVAL. The department of transportation may not enter into a contract for any portion of a permanent improvement project to be constructed at a fixed location, the total cost of which exceeds \$250,000 from all funding sources, without the prior approval of the commission and without specific authorization by law. The commission may authorize the construction of any transportation project costing in excess of \$250,000 regardless of funding source, only if that project is enumerated in the authorized transportation projects program. The commission may authorize the acquisition of land or improvement to any existing transportation facility costing in excess of \$250,000, regardless of funding source, only if that project is enumerated in the authorized transportation projects program. The commission may authorize limited changes in the projects program, and in the project budget if the commission determines that unanticipated program conditions or bidding conditions require the change to effectively and economically construct the project. However, total state funds for major projects under the authorized transportation projects program may not be exceeded. The commission may authorize the application of federal grants or private gift funds or other moneys in addition to or in lieu of the projects and project funds enumerated in the authorized transportation projects program. The commission may not authorize a project enumerated in the authorized transportation projects program if the commission determines that the need for the project has changed, making it superfluous.

(9) LEGISLATIVE APPROVAL. The commission shall submit to the joint committee on finance no later than March 15 of each odd-numbered year a proposed authorized state transportation projects program containing a description and cost for all transportation projects for which approval of the commission is required and which have been approved by the commission for the coming fiscal biennium. The program shall also include the cost of those minor projects contemplated by the department the total cost of which does not exceed \$250,000 from all funding sources. The department may not proceed with any

~~project for which funding is provided in the program unless the funding is approved by the legislature by law.~~

**Vetoed in Part** (10) **APPLICABILITY.** This section does not apply to buildings, structures and facilities to be used by the department of transportation for administrative, laboratory, residential, storage or public exhibition functions or projects in which no state funds are expended.

**SECTION 11.** 13.54 (3) (a) of the statutes is amended to read:

13.54 (3) (a) The commission on interstate cooperation shall act as a central repository for all interstate compacts to which this state or any department or agency thereof is or may be a party. The commission, with the cooperation of those officials appointed to represent Wisconsin in the administration and operation of each compact, shall maintain a continuing review of the effect, cost and operation of each compact. The commission shall advise the governor and legislature of any recommendations in regard to any compact. The commission shall study and interpret the effect of all proposed interstate compacts and all bills dealing directly with the relations between this state and the federal government, except those dealing with highways, motor vehicles and similar transportation matters which shall be reviewed by the standing committees on highways or transportation of the respective houses, or by the corresponding committee of the legislative council. Proposed interstate compacts dealing with other than transportation matters shall be referred to the commission by the house in which they are introduced in the legislature. Legislative proposals which only in part relate to interstate or state-federal relations may be similarly referred. The commission shall make its report to the governor or the legislature, in regard to the need for any legislative or administrative action, before this state or any department or agency thereof enters into such compacts or relations. The commission may delegate responsibility of review and advisement as to any active or proposed interstate compact to the proper standing or interim legislative committee, and the compact administrators, officials, delegation or proponents shall cooperate with the committee so designated. Administrators, officials or the chairmen of the state delegation appointed to represent Wisconsin in the administration of interstate compacts shall be responsible for filing with the commission a copy of all minutes, reports, publications and other papers prepared in the administration and operation of the compacts.

**SECTION 12.** 13.565 of the statutes is amended to read:

**13.565 (title) Legislative review of certain rules.** ~~Except as provided under s. 144.25 (3) (b) 1, prior to adopting~~ Upon referral of any proposed rule relating to animal waste treatment, to the presiding officer, officers of each house of the legislature under s. 227.018 (2), the presiding officers shall refer it to a senate and an assembly committee dealing concerned with agriculture. The committees shall hold a public hearing to review the proposed rule.

**SECTION 12m.** 13.81 (1) of the statutes is amended to read:

13.81 (1) **CREATION.** There is created a legislative council of 19 members consisting of the speaker and deputy speaker of the assembly, the president of the senate, the senate and assembly majority and minority leaders, the 2 cochairpersons of the joint committee on finance, the ranking minority member of the joint committee on finance from each house, and 3 senators and 5 representatives to the assembly appointed as are the members of standing committees in their respective houses. ~~The appointive members shall be selected so that each congressional district in this state is represented on the council by at least one member.~~ The terms of all members shall expire on May 1 of each odd-numbered year.

**SECTION 13.** 13.81 (6) (a) (title) of the statutes is repealed.

**SECTION 14.** 13.81 (6) (a) of the statutes is renumbered 13.81 (6).

**SECTION 15.** 13.81 (6) (b) of the statutes is repealed.

**Vetoed in Part**

~~**SECTION 15c.** 13.90 (1) (1) of the statutes is created to read:~~

~~13.90 (1) (i) Determine the person or persons authorized to sign purchasing contracts under s. 16.76 (1).~~ Vetoed in Part

SECTION 15L. 13.94 (intro.) of the statutes is amended to read:

**13.94 Legislative audit bureau.** (intro.) There is created a bureau to be known as the "Legislative Audit Bureau", headed by a chief known as the "State Auditor". ~~The state auditor, the deputy state auditor and the legislative audit directors shall be outside the classified service.~~ The bureau shall be strictly nonpartisan. Subject to s. 230.35 (4) (a) and (f), the state auditor or designated employees shall at all times with or without notice have access to all departments and to any books, records or other documents maintained by the departments and relating to their expenditures, revenues, operations and structure except as provided in sub. (4). In the discharge of any duty imposed by law, the state auditor may subpoena witnesses, administer oaths and take testimony and cause the deposition of witnesses to be taken as prescribed for taking depositions in civil actions in circuit courts.

SECTION 15m. 13.94 (1) (de) of the statutes is created to read:

13.94 (1) (de) At least once every 3 years, perform a financial audit of the state life insurance fund, the local government property insurance fund and the patients compensation fund.

SECTION 15n. 13.94 (3) (b) of the statutes is amended to read:

13.94 (3) (b) Supervise ~~Employ, supervise and train the, outside the classified service,~~ a deputy state auditor and other personnel assigned to him.

SECTION 15o. 13.94 (3) (f) of the statutes is repealed.

SECTION 15p. 13.94 (4) (a) of the statutes is amended to read:

13.94 (4) (a) In this section, "department" means every state department, board, commission or independent agency; the Wisconsin health facilities authority, the Wisconsin housing finance authority and the Wisconsin solid waste recycling authority; every provider of medical assistance under ch. 49; vocational, technical and adult education district boards; and every corporation, institution, association or other organization which receives more than 50% of its annual budget from appropriations made by state law.

SECTION 15q. 13.94 (5) of the statutes is created to read:

13.94 (5) TREATMENT OF CLASSIFIED EMPLOYEES. Notwithstanding sub. (3) (b), those individuals holding positions in the classified service at the legislative audit bureau who achieved permanent status in class on the effective date of this subsection (1981), shall retain, while serving in the unclassified service in the legislative audit bureau, those protections afforded employees in the classified service under ss. 230.34 (1) (a) and 230.44 (1) (c) relating to demotion, suspension, discharge or layoff, except that the applicability of any reduction in base pay of such an employee shall be determined on the basis of the base pay received by the employee on the effective date of this subsection (1981), plus the total amount of any subsequent general economic increases approved by the joint committee on employment relations for nonrepresented employees in the classified service. Such employees shall also have reinstatement privileges to the classified service as provided under s. 230.33 (1). Employees of the legislative audit bureau holding positions in the classified service on the effective date of this subsection (1981), who have not achieved permanent status in class in any position in the legislative audit bureau on that date are eligible to receive the protections and privileges preserved under this subsection if they successfully complete the probationary period required for the position which they hold.

SECTION 17m. 14.19 (title) of the statutes is amended to read:

**14.19 (title) Advocacy activities.**

SECTION 18. 14.19 (1) of the statutes is amended to read:



14.19 (1) The governor may authorize ~~ombudsman and~~ advocacy activities to be conducted in the office of the governor concerning problems of ~~the aging, disabled, women and members of ethnic minorities~~ minority groups, women and the family.

SECTION 18g. 14.19 (2) of the statutes is repealed.

SECTION 18r. 14.19 (3) of the statutes is amended to read:

14.19 (3) ~~Ombudsman and advocacy~~ Advocacy activities may include investigation of complaints, service as an advisor or a mediator in resolving disputes or promotion of public education and planning to resolve problems.

SECTION 19. 14.28 of the statutes is created to read:

**14.28 Governor's employment and training office.** The governor's employment and training office, created by executive order number 14, dated May 1, 1979, is attached to the department of industry, labor and human relations under s. 15.03 and may provide grants to local community organizations for standardized assessment and programs for instruction in basic skills under the youth initiatives program.

SECTION 20. 14.58 (1) (intro.) of the statutes is amended to read:

14.58 (1) **HAVE CUSTODY OF MONEYS.** (intro.) Receive and have charge of all ~~money~~ moneys paid into the treasury and any other moneys received by officers and employes of state agencies, and pay out the ~~same~~ moneys as directed by law, except as provided in s. 20.907 (5) (b). Checks and drafts on depositories in which moneys may be deposited shall be signed in one of the following methods:

SECTION 20m. 14.58 (1) (d) of the statutes is amended to read:

14.58 (1) (d) By placing on a check or draft the facsimile signature of the state treasurer adopted by him or her as a facsimile signature. Any depository shall be fully warranted and protected in making payment on any check or draft bearing such facsimile notwithstanding that the same may have been placed thereon without the state treasurer's authority.

SECTION 21. 14.58 (6) of the statutes is amended to read:

14.58 (6) **KEEP CASH AND FUND ACCOUNTS.** Keep records showing the number, date and amount of each cash receipt issued by his office and classify said receipts by state funds; submit a summary statement of collections by fund together with a copy of each remittance advice in support thereof; keep also records showing the check or draft number, date, payee and amount of each cash disbursement and classify said disbursements by state funds; keep a record of the date, payee and amount of each disbursement made by a money transfer technique other than a check or draft and classify the disbursement by state fund; and verify at the end of each week the amounts shown by his records to represent total cash balance and cash balances of individual state funds by comparing said amounts with corresponding balances appearing on records maintained by the department of administration.

SECTION 21c. 14.58 (9) and (18) of the statutes are amended to read:

14.58 (9) **REPORT TO GOVERNOR BIENNIALY.** Report to the governor, within 20 days after June 30 in each even-numbered year, a statement showing for each of the 2 preceding fiscal years the cash balance in each state fund at the beginning of the year, the aggregate amount of receipts credited and the aggregate amount of disbursements charged to each said fund during the year and the resultant cash balance in each state fund at the end of the year. This statement shall further show as of the end of each said 2 years, at par, the aggregate value of securities held for each state fund and the aggregate value of securities held in trust or deposited for safekeeping, and shall show the manner in which the total cash balance was accounted for by listing the balances on deposit in each

state account in a public depository, deducting from the total of such balances the aggregate amount of checks and drafts outstanding and adding thereto the aggregate amount of cash and cash items in office.

(18) SALE OF INVESTMENTS. Whenever the department of administration draws a check or draft dated the next following business day upon a fund whose investment and collection is under the exclusive control of the investment board pursuant to s. 25.17 (1), and the receipts of the state treasurer are insufficient to permit a disbursement from said fund in the amount of such check or draft, the investment board shall sell investments owned by such fund for delivery in time to provide sufficient money to cover such check or draft on the date which it bears.

~~SECTION 27g. 15.07 (1) (b) 6 of the statutes is repealed.~~

~~SECTION 27f. 15.07 (1) (b) 8 of the statutes is created to read:~~

~~15.07 (1) (b) 8. Land conservation board.~~

SECTION 27s. 15.07 (1) (b) 9 of the statutes is created to read:

15.07 (1) (b) 9. Board on aging and long-term care.

~~SECTION 30c. 15.07 (5) (h) of the statutes is amended to read:~~

~~15.07 (5) (h) Voting members of the land conservation board of soil and water conservation districts, \$15 \$25 per day.~~

~~SECTION 30g. 15.07 (5) (p) of the statutes is repealed.~~

SECTION 30h. 15.101 (12) of the statutes is created to read:

15.101 (12) BOARD ON AGING AND LONG-TERM CARE. The board on aging and long-term care shall have the program responsibilities specified for the board under s. 16.009.

SECTION 30i. 15.105 (10) of the statutes is created to read:

15.105 (10) BOARD ON AGING AND LONG-TERM CARE. There is created a board on aging and long-term care, attached to the department of administration under s. 15.03. The board shall consist of 7 members appointed for 5-year terms. Members shall have demonstrated a continuing interest in the problems of providing long-term care for the aged or disabled. At least 4 members shall be public members with no interest in or affiliation with any nursing home.

SECTION 30k. 15.107 (5) of the statutes is repealed.

~~SECTION 30m. 15.131 (3) of the statutes is repealed.~~

~~SECTION 30p. 15.131 (4) of the statutes is created to read:~~

~~15.131 (4) LAND CONSERVATION BOARD. The land conservation board shall have the program responsibilities specified for the board under ch. 92.~~

~~SECTION 30t. 15.135 (3) of the statutes is repealed.~~

SECTION 30x. 15.135 (4) of the statutes is created to read:

15.135 (4) LAND CONSERVATION BOARD. (a) *Creation*. There is created a land conservation board which is attached to the department of agriculture, trade and consumer protection under s. 15.03.

(b) *Members*. The board consists of:

1. The secretaries of administration and of agriculture, trade and consumer protection or their designees;
2. Three members of county land conservation committees designated biennially by the county land conservation committees at their annual meeting in even-numbered years, appointed for 2-year terms; and
3. Two public members appointed for staggered 4-year terms.

**VETOED**

Vetoed  
in Part

Vetoed  
in Part

~~(c) *Advisory members.* The board shall invite the U.S. secretary of agriculture to appoint a representative of the soil conservation service and a representative of the agricultural stabilization and conservation service to serve as advisory members of the board. In addition, the board shall invite the dean of the college of agricultural and life sciences of the university of Wisconsin-Madison, the secretary of natural resources and the director of the university of Wisconsin-extension to serve or appoint a person to serve as an advisory member of the board.~~

~~(d) *Vacancies.* If one or more of the county land conservation committee member positions on the board is vacant, the chairperson may call a special meeting of the committees to fill the vacancies, but vacancies may be filled only if a majority of the committees are represented at the special meeting.~~

SECTION 35. 15.197 (13) of the statutes is created to read:

15.197 (13) JUVENILE CORRECTIONAL RATE REVIEW COUNCIL. There is created in the department of health and social services a juvenile correctional rate review council. The secretary of health and social services shall set the number and terms of the members of the council and shall appoint those members. One or more of those members shall be representatives of counties.

SECTION 39m. 15.257 (2) of the statutes is amended to read:

15.257 (2) (title) CRIME VICTIMS COUNCIL. There is created in the department of justice a crime victims ~~compensation~~ council consisting of ~~7~~ 9 persons appointed by the attorney general for staggered 3-year terms. Of the ~~7~~ 9 members, 4 shall be citizen members, 2 shall represent organizations providing victim support services and one each shall be representatives of law enforcement, district attorneys and ~~hospitals providing victim support services~~ the judiciary. The citizen members shall have demonstrated sensitivity and concern for crime victims.

SECTION 50m. 15.74 of the statutes is repealed.

Vetoed in Part SECTION 51g. 15.911 (1) of the statutes is repealed.

SECTION 51r. 15.915 (1) of the statutes is repealed.

SECTION 55d. 16.004 (7) (b) of the statutes is amended to read:

16.004 (7) (b) The secretary shall report to the joint committee on finance ~~at its first meeting under s. 13.101~~ in March of each year concerning the compliance of each agency in the executive branch in providing the data necessary for operation of the personnel management information system.

SECTION 55m. 16.004 (8) of the statutes is renumbered 16.004 (8) (a).

SECTION 56. 16.006 (5) of the statutes is repealed.

SECTION 56m. 16.007 (1) of the statutes is amended to read:

16.007 (1) PURPOSE. The claims board shall receive, investigate and make recommendations on all claims presented against the state which are ~~filed pursuant to s. 16.53 (8)~~ referred to the board by the department. No claim or bill relating to such a claim shall be considered by the legislature until a recommendation thereon has been made by the claims board.

SECTION 57c. 16.007 (5) and (6) (a) and (b) (intro.) of the statutes are amended to read:

16.007 (5) FINDINGS. The board shall report its findings and recommendations, on all claims referred to it, to the legislature ~~for action~~. Except as provided in sub. (6), if from its findings of fact the board concludes that any such claim is one on which the state is legally liable, or one which involves the causal negligence of any officer, agent or employe of the state, or one which on equitable principles the state should in good conscience assume and pay, it shall cause a bill to be drafted covering its recommendations and shall report its findings and conclusions and submit the drafted bill to the joint committee on

finance at the earliest available time. If the claims board determines to pay or recommends that a claim be paid from a specific appropriation or appropriations, it shall include that determination or recommendation in its conclusions. A copy of its findings and conclusions shall be submitted to the claimant within 20 days after the board makes its determination. Findings and conclusions are not required for claims processed under ~~s. 16.007 sub. (6) (b).~~

(6) (a) Except as provided in par. (b), whenever the claims board by unanimous vote finds that payment of not more than \$1,000 to a claimant is justified, it may order the amount so found to be justified paid on its own motion without submission of the claim in bill form to the legislature. Such amounts shall be paid on vouchers upon the certification of the chairperson and secretary of the board ~~from the appropriation made by s. 20.505 (3) (b), and shall be charged as provided in sub. (6m).~~

(b) (intro.) Whenever the representative of the department designated by the secretary pursuant to s. 15.105 (2), finds that payment of a claim described in this paragraph to a claimant is justified, the representative of the department may order the amount so found to be justified paid without approval of the claims board and without submission of the claim in the form of a bill to the legislature. Such claims shall be paid on vouchers upon the certification of the representative of the department ~~from the appropriation made by s. 20.505 (3) (b) and, and shall be charged as provided in sub. (6m).~~ The representative of the department shall be annually reported report to the board all claims paid under this paragraph. Claims which may be paid directly by the department are:

SECTION 57e. 16.007 (6m) of the statutes is created to read:

16.007 (6m) PAYMENT CHARGES. The claims board, for claims authorized to be paid under sub. (6) (a), or the representative of the department, for claims authorized to be paid under sub. (6) (b), may specify that a claim shall be paid from a specific appropriation or appropriations. If a claim requires legislative action, the board may recommend that the claim be paid from a specific appropriation or appropriations. If no determination is made as to the appropriation or appropriations from which a claim shall be paid, the claim shall be paid from the appropriation under s. 20.505 (4) (d).

SECTION 57m. 16.009 of the statutes is created to read:

**16.009 Board on aging and long-term care.** (1) The board on aging and long-term care shall:

(a) Appoint an executive director outside the classified service to serve at the pleasure of the board. The executive director shall supervise day-to-day implementation of the board's functions and shall appoint staff outside the classified service to perform these functions.

(b) Investigate complaints from any person concerning improper conditions or treatment of aged or disabled persons who receive long-term care or concerning noncompliance with or improper administration of federal or state laws, rules or regulations related to long-term care for the aged or disabled.

(c) Serve as mediator or advocate to resolve any problem or dispute relating to long-term care for the aged or disabled.

(d) Promote public education, planning and voluntary acts to resolve problems and improve conditions involving long-term care for the aged or disabled.

(e) Monitor the development and implementation of federal, state and local laws, regulations, rules, ordinances and policies that relate to long-term care facilities for the aged or disabled.

(f) As a result of information received while investigating complaints and resolving problems or disputes, publish material that assesses existing inadequacies in federal and state laws, regulations and rules concerning long-term care for the aged or disabled. The board shall initiate legislation as a means of correcting these inadequacies.

(g) Stimulate resident, client and provider participation in the development of programs and procedures involving resident rights and facility responsibilities, by establishing resident councils and by other means.

(h) Conduct statewide hearings on issues of concern to aged or disabled persons who are receiving or who may receive long-term care.

(i) Report annually to the governor and the legislature. The report shall set forth the scope of the programs for providing long-term care for the aged or disabled developed in the state, findings regarding the state's activities in the field of long-term care for the aged and disabled, recommendations for a more effective and efficient total program and the actions taken by the agencies of the state to carry out the board's recommendations.

(2) The board on aging and long-term care may contract with any state agency to carry out the board's activities.

SECTION 59. 16.40 (14) of the statutes is amended to read:

16.40 (14) REPORT ON ANNUAL APPROPRIATIONS AUTHORIZED. Provide on or before June 30 of each year, beginning in 1981, a report to the governor and the joint committee on finance on the final level of ~~general revenue~~ appropriations authorized for the fiscal year. ~~In this subsection "general revenue appropriations" means all appropriations which are funded from either general purpose revenues or local tax revenues as defined in s. 20.001 (2) (a) and (g).~~

SECTION 59m. 16.40 (16) of the statutes is amended to read:

16.40 (16) DETERMINE PEOPLES ESCROW AMOUNT. Submit on or before October 15 of each year, beginning in 1981, a summary statement of the amount of any unappropriated general purpose revenues balance for the fiscal year ended the previous June 30. This statement shall also separately identify a contingency reserve amount, to be approved by the joint committee on finance, equal to 2% of gross general purpose revenue appropriations for the period as identified in the report required under sub. (14). The amount resulting from deducting the contingency reserve amount from the unappropriated general purpose revenues balance, shall be the amount appropriated under s. 20.878 (1) (a). In this subsection "unappropriated general purpose revenues balance" means the general fund balance as reported under s. 16.40 (3).

SECTION 60. 16.40 (17) of the statutes is amended to read:

16.40 (17) (title) PROVIDE ESTIMATES FOR COMPENSATION AND FRINGE BENEFIT SUPPLEMENTS. Provide a written estimate of the total amounts needed to finance the employe compensation and fringe benefit supplements under s. 20.865 (1) (c), (ci), (cm) ~~and~~, (d), (i), (ic), (im), (j), (s), (si), (sm) ~~and~~ (t) to the joint committee on employment relations ~~no later than the time that the proposed compensation plan under s. 230.12 and the proposed collective bargaining agreements under s. 111.92 are presented for the committee's approval in each odd-numbered year not later than March 31 of each even-numbered year, and provide a revised estimate as soon as possible after the department obtains any information which necessitates a revised estimate. The department may not authorize release of any moneys from the appropriations made under s. 20.865 (1) (e), (ci), (cm) and (d) exceeding the amount specified in an estimate or revised estimate provided under this subsection until it notifies the joint committee on employment relations of the amount and purpose of the additional release revision in the amount to be provided. There shall be transferred from the appropriation under s. 20.877 (1) (a) to the appropriations under s. 20.865 (1) (c), (ci), (cm) and (d) or from the appropriation under s. 20.877 (1) (g) to the appropriations under s. 20.865 (1) (i), (ic), (im) and (j) or from the~~

~~appropriation under s. 20.877 (1) (q) to the appropriations under s. 20.865 (1) (s), (si), (sm) and (t) the amounts estimated under this section as approved by the joint committee on employment relations. Following the approval of the initial estimates, if the department determines that an amount above the initial approved amounts will be needed, the department shall provide a revised written estimate to the joint committee on employment relations and any additional amounts required as reestimated under this section shall be transferred from the appropriations under s. 20.877 (1) (a), (g) or (q) to the affected appropriation upon the approval of the estimate by the committee.~~

Vetoed  
in Part

SECTION 62. 16.412 of the statutes is created to read:

**16.412 Agency payments.** At the request of any agency the secretary, with the approval of the state treasurer, may authorize the processing of specified regular periodic payments through the use of money transfer techniques including, without limitation because of enumeration, direct deposit, electronic funds transfer and automated clearinghouse procedures.

SECTION 62m. 16.42 (1) (intro.) of the statutes is amended to read:

16.42 (1) (intro.) All agencies, other than the legislature and the courts, prior to each budget period on the date and in the form and content prescribed by the department shall prepare and forward to the department and to the legislative fiscal bureau the following program and financial information:

SECTION 63. 16.42 (1) (b) of the statutes is amended to read:

16.42 (1) (b) Clear statements of specific objectives to be accomplished and, as appropriate, the performance measures ~~to be used~~ by the agency to assess progress toward achievement of these objectives;

SECTION 64. 16.42 (1) (e) of the statutes is amended to read:

16.42 (1) (e) All fiscal or other information relating to such agencies that the secretary or the governor requires on forms prescribed by the secretary. ~~This information may include information required under s. 16.421 (1) (e) for selected agency activities.~~

SECTION 65. 16.42 (4) of the statutes is repealed.

SECTION 66. 16.421 of the statutes is repealed.

SECTION 67d. 16.422 (3) of the statutes is amended to read:

16.422 (3) During each fiscal year, the secretary and the legislative fiscal bureau shall jointly submit to the joint committee on finance, ~~acting under s. 13.101,~~ a proposal establishing the maximum amount of transfers during the fiscal year for all departments undertaking management improvement plans under this section. The joint committee on finance may approve or disapprove the proposed limits or may increase or decrease the limits on the amounts which may be transferred.

SECTION 67p. 16.422 (7) of the statutes is amended to read:

16.422 (7) Upon approval of the proposed transfer limits by the joint committee on finance ~~acting under s. 13.101,~~ the department may transfer the amount approved to the appropriation under s. 20.876 (1) (ka), (kb), (kc) or (kd), depending upon the source of funding for the appropriation from which the moneys are transferred.

SECTION 68. 16.425 (3) of the statutes is amended to read:

16.425 (3) The department of revenue shall in each even-numbered year on the date prescribed for it by the secretary, furnish to the secretary a report detailing the approximate costs in lost revenue, the policy purposes and to the extent possible, indicators of effectiveness in achieving such purposes, for all state tax exemption devices, including those based on the federal internal revenue code, in effect at the time of the report. The report in 1974 need relate only to ch. 71 tax exemption devices. The report in 1976 need relate only to chs. 71 and 77 tax exemption devices. The report in 1978 need relate only to chs. 71, 72 and 77 tax exemption devices. The report in 1980 need relate only to chs. 71,

72, 76 and 77 tax exemption devices. The report in 1982 need relate only to chs. 70, 71, 72, 76 and 77 tax exemption devices. The report in 1982 shall include a qualitative analysis of private real property tax exemptions. The reports in 1984 and thereafter shall include an estimate of the value of private tax-exempt real property. The report shall be prepared in such a manner as to facilitate the making of comparisons with the information reported in s. 16.46 (1) to (6).

SECTION 68g. 16.43 of the statutes is amended to read:

**16.43 Budget compiled.** The secretary shall compile and submit to the governor or the governor-elect and to each person elected to serve in the legislature during the next biennium, not later than November 20 of each even-numbered year, a compilation giving all of the data required by s. 16.46 to be included in the state budget report, except the recommendations of the governor and the explanation thereof.

~~SECTION 68f. 16.45 of the statutes is amended to read:~~

Vetoed  
in Part

~~**16.45 Budget message to legislature.** In each regular session of the legislature, the governor shall deliver his budget message to the 2 houses in joint session assembled. Unless a later date is requested by the governor and approved by the legislature in the form of a joint resolution, the budget message shall be delivered on or before the last Tuesday in January. With such message the governor shall transmit to the legislature the biennial state budget report and the executive budget bills bill together with suggestions for the best methods for raising the needed revenues.~~

SECTION 69. 16.46 (8) of the statutes is amended to read:

16.46 (8) A report by the secretary of transportation which groups the items in the department's department of transportation budget request under s. 20.395 in terms of the goals and objectives of the department of transportation for achieving an efficient and effective transportation system in the state. The report shall be submitted as an appendix to the biennial state budget report.

~~SECTION 69s. 16.47 (1) of the statutes is amended to read:~~

Vetoed  
in Part

~~16.47 (1) The executive budget shall be in the form of a single bill or bills shall incorporate incorporating the governor's recommendations for appropriations for the succeeding biennium. Each appropriation in each the bill except those for highway construction and aids to local units may be divided into 3 allotments: personal services, other operating expenses and capital outlay or other meaningful classifications, or appropriations may be made in total for all expense. The appropriation method shall in no way affect the amount of detail or manner of presentation which may be requested by the joint committee on finance. Appropriation requests may be divided into 3 allotments: personal services, other operating expenses and capital outlay or such other meaningful classifications as may be approved by the joint committee on finance.~~

~~SECTION 69m. 16.47 (1m) of the statutes is amended to read:~~

~~16.47 (1m) Immediately after the delivery of the budget message, the bills bill shall be introduced without change into either house by the joint finance committee on finance and when introduced shall be referred to that committee.~~

SECTION 69s. 16.47 (2) of the statutes is amended to read:

16.47 (2) No bill affecting the ~~general fund~~ and containing an appropriation or increasing the cost of state government or decreasing state revenues in an annual amount exceeding \$10,000 shall be passed by either house until the ~~general fund~~ budget bill has passed both houses; except that the governor or the joint committee on finance may recommend such bills to the presiding officer of either house, in writing, for passage and the legislature may enact them, and except that the senate or assembly committee on organization may recommend to the presiding officer of its respective house any such bill not

affecting state finances by more than \$100,000 biennially. Such bills shall be accompanied by a statement to the effect that they are emergency bills recommended by the governor, the joint committee on finance, or the senate or assembly committee on organization. Such statement by the governor or joint committee on finance shall be sufficient to permit passage prior to the ~~general fund~~ budget bill. Such statement by the senate or assembly committee on organization shall be effective only to permit passage by its respective house.

SECTION 70m. 16.48 of the statutes is repealed.

SECTION 72c. 16.50 (3) of the statutes is amended to read:

16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except the legislature or the courts, may increase the pay of any employe, expend money or incur any obligation except in accordance with the estimate that is submitted to the secretary as provided in sub. (1) and approved by the secretary or the governor. No additional positions above the number authorized through the biennial budget, budget review process or other legislative act may be granted without the approval of the joint committee on finance ~~acting under s. 13.101~~, except for positions created ~~from funds received by the governor under s. 16.54 or 20.001~~ 16.505 (1) (c) or (2) (b) or (e). The secretary may withhold, in total or in part, the funding for any position, as defined in s. 230.03 (11), as well as the funding for part-time or limited term employes until such time as the secretary determines that the filling of the position or the expending of funds is consistent with the intent of the legislature as established by law or in budget determinations, or the intent of the joint committee on finance ~~acting under s. 13.101~~ or as otherwise provided by law, or the intent of the governor ~~acting under s. 16.54~~ or creating positions ~~funded under s. 20.001 (2) (b) or (e)~~ 16.505 (1) (c) or (2). Until the release of funding occurs, recruitment or certification for the position may not be undertaken. The secretary shall submit a quarterly report to the joint committee on finance of any additional positions created under s. ~~16.54 or 20.001 (2) (b) or (e)~~ 16.505 (1) (c). No pay increase may be approved unless it is at the rate or within the pay ranges prescribed in the compensation plan or as published in a collective bargaining agreement under subch. V of ch. 111. At the request of the secretary of employment relations, the secretary of administration may authorize the temporary creation of pool or surplus positions under any source of funds if the secretary of employment relations determines that temporary positions are necessary to maintain adequate staffing levels for high turnover classifications, in anticipation of attrition, to fill positions for which recruitment is difficult. Surplus or pool positions authorized by the secretary shall be reported quarterly to the joint committee on finance in conjunction with the report required under s. 16.54 (8).

SECTION 72t. 16.505 (1) (intro.) of the statutes is amended to read:

16.505 (1) (intro.) ~~No~~ Except as provided in sub. (2), no position, as defined in s. 230.03 (11), regardless of funding source or type, may be created unless authorized by one of the following:

SECTION 72v. 16.505 (1) (b) of the statutes is amended to read:

16.505 (1) (b) The joint committee on finance ~~acting under s. 13.101~~ or as otherwise provided by law.

SECTION 72z. 16.505 (1) (c) of the statutes is amended to read:

16.505 (1) (c) The governor ~~acting under s. 16.54~~ or creating positions ~~funded under from funding specified in s. 20.001 (2) (b) or (e)~~ (e).

SECTION 73a. 16.505 (2) of the statutes is renumbered 16.505 (3).

SECTION 73b. 16.505 (2) of the statutes is created to read:

16.505 (2) If the governor proposes to authorize the creation of any position as defined in s. 230.03 (11) not authorized under sub. (1) from funding specified in s. 20.001 (2) (b) or (c), the governor shall notify the joint committee on finance in writing of his or her



proposed action. If the committee does not schedule a meeting for the purpose of reviewing the proposed action within 14 working days after the date of the notification, the position may be authorized by the governor. If the committee schedules a meeting for the purpose of reviewing the proposed action within 14 working days after the date of the notification, the position may be created under this subsection only upon approval of the committee.

SECTION 73m. 16.515 of the statutes is created to read:

**16.515 Supplementation of program revenue and program revenue-service appropriations.** (1) The secretary may supplement any sum certain program revenue or program revenue-service appropriation which the secretary determines is insufficient because of unforeseen emergencies or insufficient to accomplish the purpose for which made, if the secretary finds that an emergency exists, no funds are available for such purposes and the purposes for which a supplemental appropriation is requested have been authorized or directed by the legislature. If the secretary proposes to supplement such an appropriation, the secretary shall notify the joint committee on finance in writing of the proposed action. The secretary may proceed with the proposed action if within 14 working days of the notification the committee does not schedule a meeting for the purpose of reviewing the secretary's proposed action. If the committee schedules a meeting for the purpose of reviewing the proposed action, the action shall not take effect unless the committee approves the action.

(2) All supplements proposed under this section which are not acted upon by the committee shall be paid from the appropriation under s. 20.865 (8) (g).

SECTION 76. 16.53 (1) (d) 1 of the statutes is amended to read:

16.53 (1) (d) 1. The secretary, with the approval of the joint committee on employment relations, shall fix the time and frequency for payment of salaries due elective and appointive officers and employes of the state. As determined under this subdivision, the salaries shall be paid either monthly, semimonthly or for each 2-week period. Costs for benefits under ~~chs. 102 and ch.~~ 108 which are paid on an actual basis may be charged to and collected from agencies by the secretary on an estimated or premium basis, credited to appropriate appropriations, and paid from the appropriations on an actual basis. In addition, the secretary may charge agencies for the department's costs of estimation, collection and payment of benefits under ~~chs. 102 and ch.~~ 108 on a prorated basis in accordance with the percentage of costs attributable to each agency. Service charges shall be paid into the appropriation made under s. 20.505 (1) (ka).

SECTION 76m. 16.53 (8) of the statutes is repealed.

SECTION 77. 16.53 (10) (a) of the statutes, as affected by chapter 1, laws of 1981, is amended to read:

16.53 (10) (a) ~~If, between February 22, 1976 and 30 days after the publication of the budget adopted for the 1977-79 fiscal biennium or between February 1, 1981, and June 30, 1981, or the day following publication of the 1981-83 executive budget act, whichever is later,~~ an emergency arises which requires the department to draw vouchers for payments which will be in excess of available funds in any state fund, the secretary, in consultation with the state treasurer, and after notifying the joint committee on finance under par. (b), may prorate and establish priority schedules for all payments within each fund, including those payments for which a specific payment date is provided by statute. The secretary shall draw all vouchers according to the following preference. All direct or indirect payments of principal or interest on state bonds and notes have first priority and may not be prorated or reduced under this subsection. All state employe payrolls shall have 2nd priority. All payments to local units of government which are required by statute to be made on a specific date and all aid payments to individuals have 3rd priority. All remaining payments have 4th priority. The secretary shall maintain records of all claims

prorated under this subsection and shall provide written notice to the state treasurer when a potential cash flow emergency is anticipated.

SECTION 77c. 16.53 (10) (e) of the statutes, as created by chapter 1, laws of 1981, is amended to read:

16.53 (10) (e) The authority granted by this subsection may be exercised only after all other possible procedures have been used and are found to be insufficient, including the temporary reallocation of surplus moneys as provided in section 36 of chapter 1, laws of 1981 s. 20.002 (11).

SECTION 80d. 16.543 (1) of the statutes is amended to read:

16.543 (1) If the state is to receive less federal revenue sharing funds in any year than the amount anticipated, the governor shall submit to the joint committee on finance, for its approval, a recommendation to adjust the appropriations under ch. 20 to account for such reduction of federal revenue sharing funds. ~~Upon receipt of such recommendation the committee shall meet and consider the recommendation in accordance with the procedures specified under s. 13.101 (6).~~ Any recommendation approved under this section shall be implemented by the department under s. 16.50 (2).

SECTION 80p. 16.543 (2) of the statutes is amended to read:

16.543 (2) If the status of federal revenue sharing funds in any year is not known by the last working day in October, ~~the governor, with the approval of the joint committee on finance, may extend~~ the date of certification provided in s. 120.12 (3) to November 15 for that year may be extended with the approval of the joint committee on finance.

SECTION 81. 16.55 of the statutes is amended to read:

**16.55 (title) Frauds and uncollectible shortages.** ~~On or before March 1 of each odd year the~~ The head of each agency shall immediately provide to the secretary any information within his or her knowledge or evidence in his or her possession concerning any suspected fraudulent use of appropriations or embezzlement of moneys in the custody of the agency or any officer or employe thereof. The attorney general shall investigate and, on or before March 1 of each odd-numbered year, notify the department of administration of the sums of money embezzled from the several state accounts during the prior 2 years indicating the amounts uncollected and uncollectible. The department of administration shall cause a bill to be prepared appropriating from the several state funds a sum sufficient the amounts necessary to liquidate the uncollectible shortages in state accounts caused by such embezzlement, and submit such bill to the joint committee on finance for introduction.

~~SECTION 87j. 16.70 (1) of the statutes is amended to read:~~

~~16.70 (1) "Contractual services" includes all materials and services, and any limited trades work involving less than \$10,000, to be done for or furnished to the state or any office thereof.~~

Vetoed  
in Part

SECTION 87k. 16.705 of the statutes is renumbered 16.705 (1).

SECTION 87L. 16.705 (2) to (8) of the statutes are created to read:

16.705 (2) The department shall adopt rules for the procurement of contractual services, including but not limited to the approval and monitoring processes for contractual service contracts. Each officer requesting approval to engage any person to perform contractual services shall submit to the department written justification for such contracting which shall include a description of the contractual services to be procured, justification of need, justification for not contracting with other offices, a specific description of the scope of contractual services to be performed, and justification for the procurement process if a process other than competitive bidding is to be used. The department may not approve any contract for contractual services unless it is satisfied that the justification for contracting conforms to the requirements of this section and ss. 16.71 to 16.77.

CHAPTER 20

**Vetoed in Part** (2m) Each contract for the provision of contractual services to any office shall provide that the information obtained or prepared by the contractor under the contract is the property of the state of Wisconsin. If the information is not available to the public under any provision of law, the information may not be used by the contractor for the benefit of the contractor or any other person.

(3) Contracts for contractual services shall be submitted by the department for the review and approval of the secretary of employment relations prior to award, under conditions established by rule of the department. The secretary of employment relations shall review such contracts in order to ensure that offices:

(a) Properly utilize the services of state employees;

(b) Evaluate the feasibility of using limited term appointments prior to entering into a contract for contractual services; and

(c) Do not enter into any contract for contractual services in conflict with any collective bargaining agreement under subch. V of ch. 111.

**Vetoed in Part** (4) Under conditions specified by rule of the department, the governor or his or her designee may waive any requirement of this subchapter for the procurement of contractual services if the governor or his or her designee finds that there exists an emergency which threatens the public health, safety or welfare and the waiver is necessary to meet the emergency. The governor or his or her designee shall require the award of each contract under this subsection to be made with such competition as is practicable under the circumstances. The governor or his or her designee shall file with the department a statement of facts constituting the emergency for each waiver issued under this subsection, and statement of the basis for selection of each contractor under the emergency procedure. This subsection does not apply to the requirement specified in s. 16.75 (7).

(5) The department shall adopt rules to assure that the process used for selection of persons to perform contractual services includes a review of the independence and relationship, if any, of the contractor to employes of the office, disclosure of any former employment of the contractor or employes of the contractor with the office and a procedure to minimize the likelihood of selection of a contractor who provides or is likely to provide services to industries, client groups or individuals who are the object of state regulation or the recipients of state funding to a degree that the contractor's independence would be compromised.

**Vetoed in Part** (6) Within 60 days after the fulfillment of each agreement for contractual services authorized under this section, the office for which the contractual services are performed shall file with the department an evaluation of the contractor's performance in such form as the secretary may require. The evaluation shall include the information necessary to prepare the report specified in sub. (8) (b).

**Vetoed in Part** (7) The department shall review evaluations submitted under sub. (6) and adopt rules prescribing procedures to assure that future contracts for contractual services are not awarded to contractors whom the department finds to have violated past contracts or whose past performance is found to be otherwise unsatisfactory, to the extent feasible.

**Vetoed in Part** (8) The department shall annually on or before October 15 report to the governor, the presiding officer of each house of the legislature, the joint committee on finance and the joint legislative audit committee concerning:

**Vetoed in Part** (a) The number, value and nature of contractual service procurements authorized for each office during the preceding fiscal year.

**Vetoed in Part** (b) For each contract for which performance has been completed during the preceding fiscal year, information as to the estimated number of authorized full-time equivalent positions, segregated according to civil service classification series, which would be required were the contractual services to be performed by state employes in the classified service.

SECTION 87a. 16.71 of the statutes is amended to read:

16.71 Purchasing powers. The department shall purchase and may delegate to special designated agents the authority to purchase all necessary materials, supplies, equipment, all other permanent personal property and miscellaneous capital, and contractual services and all other expense of a consumable nature for all offices, except as provided in s. 16.72 (4) (b). All such materials, services and other things and expense furnished to any such office shall be charged to the proper appropriations of the departments office to which furnished, as provided in s. 20.505.

SECTION 87p. 16.72 (2) (a) and (3) of the statutes are amended to read:

16.72 (2) (a) The department of administration shall prepare standard specifications, as far as possible, for all state purchases for offices, except those purchases made under sub. (4) (b). By "standard specifications" is meant a specification, either chemical or physical or both, prepared to describe in detail the article which the state desires to purchase, and trade names shall not be used. On the formulation, adoption and modification of any standard specifications, the department of administration shall also seek and be accorded without cost, the assistance, advice and cooperation of other state offices and officers. Each specification adopted for any commodity shall, insofar as possible, satisfy the requirements of any and all offices which use it in common.

(3) All materials and services required or requested to be furnished by the department which are manufactured or produced at the institutions of the state shall be purchased from said institutions when such products or services conform to the specifications prepared by the department.

SECTION 87q. 16.72 (4) (a) of the statutes is amended to read:

16.72 (4) (a) Except as otherwise provided in this subchapter and the rules adopted pursuant thereto, all supplies, materials, equipment and contractual services shall be purchased for and furnished to any office only upon requisition to the department. The department shall prescribe the form, contents, number and disposition of requisitions and shall prescribe rules as to time and manner of submitting such requisitions for processing. No office or officer may engage any person to perform contractual services without the specific prior approval of the department for each such engagement.

SECTION 87s. 16.72 (4) (b) of the statutes is renumbered 16.72 (5).

SECTION 87t. 16.72 (4) (b) of the statutes is created to read:

16.72 (4) (b) Paragraph (a) does not apply to supplies, materials, equipment and contractual services purchased for and furnished to the legislature or any legislative service agency. The department shall process requisitions submitted by the legislature or any legislative service agency upon request of the chief clerk of either house of the legislature or the head of a legislative service agency. This paragraph does not apply to stationery and printing.

SECTION 88m. 16.76 (1) of the statutes is amended to read:

16.76 (1) All contracts for materials, supplies, equipment and or contractual services shall run to the state of Wisconsin, and. Such contracts shall be signed by the secretary or persons authorized by the department, except that contracts entered into directly by the legislature or a legislative service agency shall be signed by a person or persons authorized by the joint committee on legislative organization. All contracts shall contain a clause providing for arbitration of disputes between the state and the contractor regarding quality and quantity of materials, supplies, equipment or services to be provided.

SECTION 89m. 16.77 (1) of the statutes is amended to read:

Vetoed in Part 16.77 (1) No bill or statement for work or labor performed under purchase orders or contracts issued by the secretary or the secretary's designated agents, and no bill or statement for supplies, materials, equipment or contractual services purchased for and delivered to any office, except the legislature or a legislative service agency ordering supplies, materials, equipment or contractual services under s. 16.72 (4) (b), may be paid until the bill or statement is approved by the secretary or one of his or her designated agents. No bill or statement for supplies, materials, equipment or contractual services ordered directly by the legislature or any legislative service agency under s. 16.72 (4) (b) may be paid until the bill or statement is approved by the requisitioning officer under s. 16.72 (4) (b).

SECTION 94. 16.843 (2) of the statutes is amended to read:

16.843 (2) Except as authorized in sub. (3), the parking of any motor vehicle in any of the 4 driveways of the capitol park leading to the capitol building is prohibited. Parking of any motor vehicle on the grounds of any of the state office buildings shall be in accordance with rules and orders established by the department. The department shall establish a schedule of fees for parking during the state office hours specified in s. 230.35 (4) (f) at every state-owned office building for which the department has managing authority and which is located in a municipality served by an urban mass transit system for which state operating assistance is provided under s. ~~85.05~~ 85.20. The department may prescribe a schedule of fees for parking during other hours at any state-owned office building located in such a municipality. In addition, the department may establish fees for parking at other state facilities located in such a municipality. Fees established under this subsection shall be established so that the total amount collected equals the total cost of administration of the parking program administration and alternate transportation programs under s. 16.82 (5) and parking facility maintenance and operation. Any person violating this subsection or any rule or order adopted pursuant thereto ~~shall~~ may be fined ~~or imprisoned not less than \$5 nor more than \$25 or imprisoned not more than 10 days.~~ required to forfeit not less than \$5 nor more than \$25

SECTION 96m. 16.855 (16) of the statutes is amended to read:

16.855 (16) This section does not apply to contracts between the state and federal government or any agency thereof, or with any political subdivision of the state. Subject to the approval of the governor, the requirements of this section may be waived in emergency situations involving the public health, welfare or safety or with respect to contracting with public utilities, but only when any such waiver is deemed by the governor to be in the best interests of the state. In emergency situations, the governor may approve repairs and construction in lieu of building commission approval under s. 13.48 (10), and for such purposes, may authorize the release of up to \$50,000 of building trust funds or the use of other available ~~appropriated~~ program revenues, but such approvals shall be reported to the building commission at their next regular meeting.

SECTION 97. 16.865 (4) of the statutes is amended to read:

16.865 (4) Manage the state employes' worker's compensation program and the state-wide self-funded programs to protect the state from losses due to liability and damage to state property.

SECTION 97m. 16.95 (13) of the statutes is created to read:

Vetoed in Part 16.95 (13) (a) By rule, establish material and installation standards for persons who sell or install program measures under s. 196.177. The standards shall include, without limitation because of enumeration:

1. A requirement that every program measure, except caulking and weatherstripping, have at a minimum a one-year manufacturer's repair or replacement warranty and a one-year installation labor warranty.

~~2. A requirement that any program measure violating installation standards established under this paragraph be corrected by the installer without cost to the person buying the measure.~~

Vetoed  
in Part

~~(b) The department shall establish by rule standards and procedures for placement on, removal from and restoration to a list of persons who agree to comply with the standards established under par. (a) and shall compile and maintain the list.~~

~~(c) Compile and maintain a list of persons who agree to finance the purchase and installation costs of program measures under s. 196.177.~~

SECTION 101. 16.956 (4) and (5) of the statutes are repealed and recreated to read:

16.956 (4) **PROJECT ELIGIBILITY.** The secretary shall solicit the following types of proposals and may solicit other types of proposals at the discretion of the secretary:

(a) Energy use and performance monitoring for energy efficient, passive solar and active solar homes.

(b) Development, testing, refinement and demonstration of residential heating system efficiency improvements.

(c) Design, construction, and monitoring of homes which suit the climate of this state and which use little or no supplemental heating energy.

(d) Design and monitoring of energy efficient new commercial buildings.

(e) Analysis, implementation and demonstration of industrial energy conservation projects including operation and maintenance programs, cogeneration, industrial process modifications and new industrial process designs.

(f) Research and development of new energy conservation products.

(g) Feasibility analysis, construction and demonstration of biomass conversion projects including wood, alcohol, methane, refuse derived fuel, fuel from agricultural products or wastes and others.

(h) Installation, monitoring and demonstration of innovative wind turbine applications.

(5) **SELECTION CRITERIA.** For the purpose of awarding grants under this section, the secretary shall evaluate proposals submitted under sub. (4) on the basis of the following criteria:

(a) The project's technical feasibility and merit.

(b) The applicant's ability to successfully complete the proposed project.

(c) The expected short- and long-term energy conservation and renewable energy supply benefits to the state.

(d) The accuracy and completeness of the written proposal.

(e) The applicant's inability to obtain funding from other sources.

SECTION 102. 16.956 (7) (title) and (a) of the statutes are amended to read:

16.956 (7) (title) **GRANT CONDITIONS.** (a) After receipt and consideration of the comments of the legislative committees under sub. (6), the secretary shall make the final award of grants. ~~The final selection of grant recipients shall be based on the financial need of an applicant, project viability and available funding.~~ The amount of a grant may be less than the full cost of the project being funded decreased from the amount requested to account for moneys received from other sources, cost sharing by the applicant and the availability of other federal and state financial subsidies. Each grant shall be awarded by a contract between the department and the recipient.

SECTION 102m. 16.956 (7) (b) 2 of the statutes is repealed and recreated to read:

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16.956 (7) (b) 2. The ownership of patents and copyrights flowing from the grant project and the disposal of income derived from the marketing of the grant project. The secretary, on a case-by-case basis, shall consider the public interest and the equities of the grantee in providing for the ownership of copyrights, patents and disposal of project income.

SECTION 103. 16.956 (7) (b) 3 of the statutes is repealed.

SECTION 104. 16.956 (7) (c) of the statutes is created to read:

16.956 (7) (c) Sections 16.70 to 16.79 do not apply to any contract entered into by the department under this section.

SECTION 106. 16.959 (intro.) and (1) (a) of the statutes are renumbered 16.959 (1) (intro.) and (am) and amended to read:

16.959 (1) GENERAL DUTIES. (intro.) The department shall ~~promote~~:

(a) Promote the use of wind energy systems as defined in s. 101.57 (8) (d). ~~The department's activities related to wind energy shall include, without limitation because of enumeration:~~

(am) Gathering Gather and disseminating disseminate information on wind characteristics and the economic feasibility of using wind energy systems in the state.

SECTION 107. 16.959 (1) (b) to (d) and (2) of the statutes are amended to read:

16.959 (1) (b) ~~Offering Offer~~ assistance to persons interested in installing a wind energy conversion system.

(c) ~~Training Train~~ university of Wisconsin system extension staff to assist persons interested in siting wind energy conversion systems.

(d) ~~Publishing Publish~~ a list, at intervals not to exceed 6 months, of reputable manufacturers and distributors of wind energy conversion systems in the upper midwest region of the United States.

(2) ANEMOMETER LOAN PROGRAM. (a) ~~Purchasing The department may purchase~~ anemometers with the funds appropriated under s. 20.505 (1) (e). The recording device accompanying the anemometer shall be capable of automatically calculating the average wind speed ~~at intervals not to exceed one minute~~ or capable of recording the amount of electricity that would be generated at the site of the anemometer.

(b) ~~Making the anemometers~~ The department may make any anemometer purchased under par. (a) available for periods of up to 18 months to persons in the state interested in assessing the wind energy potential on their property. Each person who receives an anemometer through the loan program shall pay a fee of \$50.

(c) ~~Publishing~~ The department shall publish annually a report of the findings from the anemometer readings collected as a result of the loan program under this subsection. The report shall include an evaluation of the necessity and effectiveness of the program.

SECTION 108. 16.96 (2) (a) of the statutes is amended to read:

16.96 (2) (a) On or before August 10 of each year, the department shall make its preliminary population determinations and shall notify the clerk of each municipality and county of its preliminary population determinations. The reference date for all population determinations for state shared revenue distribution purposes shall be January 1.

SECTION 110. 16.96 (2) (dm) of the statutes is amended to read:

16.96 (2) (dm) The results of special censuses conducted for municipalities and counties under contract with the U.S. bureau of the census shall be used as a basis for the respective population determinations on August 10 if the final certified results of such censuses are received by the department before July 1 in the year in which the determination is being made. The results of special censuses conducted for municipalities and counties under contract with the U.S. bureau of the census shall be used as a basis for the

respective population determinations on October 10 if the final certified results of such censuses are received by the department before October 1 in the year in which the determination is made. If a municipality or county notifies the department in writing by September 15 of its intention to contract for a special census with the U.S. bureau of the census in support of a challenge to the August 10 population determination, and if the final certified results of such a special census are received by the department before June 1 in the following year, the department shall adjust the preceding October 10 population estimate to reflect the results of the special census. If a special census is unavailable, the department may use the best information from a federal decennial or mid-decade census. The adjusted population determination shall be reported to the department of revenue before September 15 of the year subsequent to the challenge. Upon making such population adjustments, shared revenue distributions under subch. I of ch. 79 shall be corrected according to s. 79.08. Federal census results for census dates occurring after the effective reference date of any population determination shall be prorated back to the effective reference date of the estimate for all municipalities. If a municipality contracts with the U.S. bureau of the census for a special census, the results of such special census shall be certified to the department for purposes of shared revenue distribution not later than 30 days after the release of the census results by the bureau of the census.

SECTION 111. 16.96 (2) (dx) of the statutes is created to read:

16.96 (2) (dx) Before September 15, 1981, the department shall adjust the final 1979 and 1980 population determinations to correspond to the final 1980 federal decennial census results as reported to an agency of the state by the U.S. bureau of the census under P.L. 94-171. The department may substitute preliminary 1980 census results for any municipality or county for which the final results are not available before September 15, 1981. Each population determination adjustment shall include a prorated adjustment from April 1, 1980, back to January of the respective year.

SECTION 112m. 16.97 (3) of the statutes is amended to read:

16.97 (3) Acquisition of a computing resource that the department considers major, or that is likely to result in a substantive change of service, which was not considered in the regular budgeting process and which is to be financed from general purpose revenues or corresponding revenues in a segregated fund requires prior approval of the joint committee on finance ~~acting under s. 13.101~~. Any computing resources to be acquired from program revenues or corresponding revenues from program receipts in a segregated fund are not subject to prior approval but shall be promptly reported to the joint committee on finance by the department.

SECTION 113g. 18.07 (2) of the statutes is amended to read:

18.07 (2) Every loan agreement entered into pursuant to s. 18.06 (2) and every evidence of indebtedness given under such a loan agreement shall be executed in the name of and for the state by the secretary of the commission. Every other evidence of indebtedness shall be executed in the name of and for the state by the governor and by the state treasurer and shall be sealed with the great seal of the state or a facsimile thereof of any size, and every interest coupon appurtenant thereto shall be executed in the name of and for the state by the governor. The facsimile signature of either the governor or state treasurer or both may be imprinted in lieu of the manual signature of such officer, as the commission directs, if approved by such officer, and shall be so imprinted in the case of interest coupons. Evidence of indebtedness and interest coupons appurtenant thereto bearing the manual or facsimile signature of a person in office at the time such signature was signed or imprinted shall be fully valid notwithstanding that before or after the delivery thereof such person ceased to hold such office.

SECTION 113i. 18.10 (8) of the statutes is amended to read:



18.10 (8) TRUSTEES AND FISCAL AGENTS. The commission may appoint one or more trustees and fiscal agents for each issue of bonds or notes. The state treasurer may be denominated the trustee and the sole fiscal agent or a cofiscal agent for any issue of bonds or notes. Every other such fiscal agent shall be an incorporated bank or trust company authorized by the laws of the United States or of the state in which it is located to do a banking or trust company business. The commission shall periodically require competitive proposals, under procedures established by the commission, for fiscal agent services and, in so doing, shall consult the state treasurer. There may be deposited with a trustee, in a special account administered as provided in this chapter, moneys to be used only for the purposes expressly provided in a resolution authorizing the issuance of debt or an agreement between the commission and the trustee. There may be deposited with a fiscal agent, in a special account for such purpose only, a sum estimated to be sufficient to enable such fiscal agent to pay the principal and interest on public debt which will come due not more than 15 days after the date of such deposit. The commission may make such other provisions respecting trustees and fiscal agents as it deems necessary or useful and may enter into a contract with any trustee or fiscal agent containing such terms, including compensation, and conditions in regard to the trustee or fiscal agent as it deems necessary or useful.

SECTION 113m. 19.42 (13) (c) of the statutes is amended to read:

19.42 (13) (c) All positions identified under s. 20.923 (2), (4), (6) (f), ~~(g)~~ and to (h), and (8), (9), to (10) and (13), except clerical positions.

SECTION 117m. 20.001 (2) (a) of the statutes is amended to read:

20.001 (2) (a) *General purpose revenues.* "General purpose revenues" consist of general taxes, miscellaneous receipts and revenues collected by state agencies which are paid into a specific fund, lose their identity, and are then available for appropriation by the legislature. In this chapter, "general purpose revenues" refers to general purpose revenues in the general fund. General purpose revenues are identified by the abbreviation "GPR" in s. 20.005. ~~Whenever the terms "executive budget revenues", "unappropriated revenues" or "unassigned receipts" or other similar designations appear in the statutes and when such terms have reference to the general fund, such terms mean "general purpose revenues".~~ They shall be deposited pursuant to s. 20.906.

SECTION 118. 20.001 (2) (b) of the statutes is amended to read:

20.001 (2) (b) *Program revenues.* "Program revenues" consist of revenues which are paid into the general fund and are credited by law to an appropriation to finance a specified program or state agency. In this chapter, "program revenues" refers to program revenues in the general fund. Program revenues are identified by the abbreviation "PR" in s. 20.005. ~~Whenever the terms "revolving budget revenues", "appropriated revenues" or "assigned receipts" or other similar descriptions appear in the statutes and when such terms have reference to the general fund, such terms mean "program revenues".~~ For any program revenue appropriation which is limited to the amounts in the schedule, no expenditures may be made exceeding the amounts in the schedule, except as provided in ss. 13.101 and 16.515, regardless of the amounts credited to that appropriation account. They shall be deposited pursuant to s. 20.906. Notwithstanding any other provision of this chapter, program revenues shall be used to reimburse the ~~appropriate funds~~ general fund for payments transferred under the appropriations made in s. 20.865 for the purposes of program revenue appropriations.

SECTION 118m. 20.001 (2) (c) of the statutes is amended to read:

20.001 (2) (c) *Program revenue-service.* "Program revenue-service" consists of moneys transferred between or within state agencies for the purpose of reimbursement for services rendered or materials purchased. These moneys are shown as expenditures in the appropriations of those state agencies or activities receiving the service or material and also shown as program revenue in the appropriations of the agency or program providing

the service or material. For any program revenue-service appropriation which is limited to the amounts in the schedule, no expenditure may be made exceeding the amounts in the schedule, except as provided in ss. 13.101 and 16.515, regardless of the amounts credited to that appropriation account.

SECTION 119. 20.001 (2) (g) of the statutes is repealed.

SECTION 120. 20.001 (3) (intro.) of the statutes is amended to read:

20.001 (3) APPROPRIATION TYPES. (intro.) The following types of appropriations may be made from any of the revenue types listed above. When an appropriation varies from these basic types, it is identified as the type which most nearly fits that appropriation and the variation is ~~indicated by an asterisk in the schedules under s. 20.005 and specifically stated in ss. 20.100 to 20.899.~~

SECTION 120d. 20.001 (3) (a) and (b) of the statutes are amended to read:

20.001 (3) (a) *Annual appropriations.* Annual appropriations, indicated by the abbreviation "A" in s. 20.005, are appropriations which are expendable only up to the amount shown in the schedule and only for the fiscal year for which made. At the end of the fiscal year the unencumbered balances shall revert to the fund ~~and account~~ from which appropriated unless the appropriation is a program revenue or program revenue-service appropriation and indicates the moneys are to be credited to the account for that appropriation, in which case all unencumbered balances shall be retained in that appropriation account. In ss. 20.100 to 20.899, all appropriations are annual unless otherwise indicated and the introductory phrase "annually" is used only when necessary to avoid confusion with other appropriation types.

(b) *Biennial appropriations.* Biennial appropriations, indicated by the abbreviation "B" in s. 20.005, are appropriations which are expendable only for the biennium for which made. Dollar amounts shown in the schedule under s. 20.005 represent the most reliable estimates of the amounts which will be expended in each fiscal year, the total for both years being the biennial appropriation. For accounting purposes, for computation of the surplus at the close of the fiscal year and for the administration of s. 20.002 (1), the appropriation for the first year of a biennium shall be the sum of the expenditures for such year plus the outstanding encumbrances at the close of such year; the unencumbered balance at the close of the first year shall constitute the appropriation for the 2nd year of the biennium. At the end of the biennium the unencumbered balances shall revert to the fund ~~and account from which appropriated~~ unless the appropriation is a program revenue or program revenue-service appropriation and indicates the moneys are to be credited to the account for that appropriation, in which case all unencumbered balances shall be retained in that appropriation account. Biennial appropriations are indicated in ss. 20.100 to 20.899 by the introductory phrase "biennially".

SECTION 120h. 20.002 (10) of the statutes is amended to read:

20.002 (10) EXCESS STATE MATCHING FUNDS. If any appropriation that is made to match or secure federal funds is in excess of the amount required to match or secure federal funds, the state agency that is responsible for the administration of such funds shall promptly notify the federal aid management service of the department of administration which shall promptly notify the governor and the joint committee on finance. Such funds shall then be placed in unallotted reserve and may not be released unless the release is first approved by the joint committee on finance ~~acting under s. 13.101.~~

SECTION 120i. 20.002 (11) (title) of the statutes is amended to read:

20.002 (11) (title) TEMPORARY REALLOCATION OF SURPLUS MONEYS.

SECTION 120j. 20.002 (11) of the statutes is renumbered 20.002 (11) (a) and amended to read:

20.002 (11) (a) All appropriations ~~and~~ special accounts ~~and~~ fund balances within the general fund or any segregated fund may be made temporarily available until the end of

the fiscal year for the purpose of allowing encumbrances or financing expenditures of other general or segregated fund activities which do not have sufficient funds moneys in their account the accounts from which they are financed but have accounts receivable balances or moneys anticipated to be received from tax revenues, gifts, grants, fees, sales of service, or interest earnings before the close of the fiscal year recorded under s. 16.52 (2). The secretary of administration shall determine the composition and allowability of the accounts receivable balances and anticipated moneys to be received for this purpose in accordance with s. 20.903 (2) and shall specifically approve the use of surplus moneys from the general or segregated funds after consultation with the appropriate state agency head for use by specified activities accounts or programs.

(b) The secretary of administration shall limit the amount of any temporary reallocation to \$100 million and the reallocation shall be reversed as soon as balances allow or within 90 days or by the close of the fiscal year, whichever is earlier. The secretary may assess a special interest charge against the programs or activities utilizing surplus funds moneys within the same fund under this subsection in amounts an amount not to exceed the daily interest earnings rate of the state investment fund during the period of transfer of surplus funds moneys to other accounts or programs. The secretary shall assess a special interest charge against the fund utilizing surplus moneys under this subsection in an amount equal to the rate of return the state investment fund earnings would have created to the fund from which the reallocation was made. This interest shall be calculated and credited to the appropriate fund at the same time the earnings from the state investment fund are distributed and shall be considered an adjustment to those earnings.

SECTION 120k. 20.002 (11) (c) to (e) of the statutes are created to read:

20.002 (11) (c) This subsection applies only to those funds participating in the investment fund for purposes of temporary reallocation between funds or accounts and does not include the following funds or specified accounts in these funds:

1. The bond security and redemption fund under s. 18.09.
2. The capital improvement fund under s. 18.08.
3. The industrial building construction loan fund under s. 560.10.
4. All trust funds authorized under chs. 40, 41 and 42.
5. The veterans trust fund under s. 25.36.
6. The state housing authority reserve fund under s. 25.41.
7. The fish and wildlife account within the conservation fund under s. 25.29 (3).

(d) The secretary of administration may not exercise the authority granted in this subsection if a temporary reallocation would jeopardize the cash flow of any fund or account from which a temporary reallocation would be made.

(e) If the secretary of administration exercises or proposes to exercise the authority granted in this subsection, he or she shall publish and transmit a report to the presiding officer of each house of the legislature on a monthly basis specifying the date, amount, source and use of any outstanding temporary reallocation or proposed reallocation of moneys for the period covered by the report.

SECTION 120m. 20.003 (4) of the statutes, as created by chapter 1, laws of 1981, is amended to read:

20.003 (4) REQUIRED GENERAL FUND BALANCE. Beginning with the 1983-85 fiscal biennium, no bill directly or indirectly affecting general purpose revenues as defined in s. 20.001 (2) (a) may be enacted by the legislature if the bill would cause the estimated general fund balance on June 30 for the fiscal biennium as projected under s. 20.005 (1) to be an amount equal to less than ~~one percent~~ 0.5% of the total general purpose revenue appropriations for that fiscal biennium.

SECTION 120p. 20.004 of the statutes is renumbered 20.004 (2) and amended to read:

20.004 (2) Immediately following the final adjournment of the legislature, or at convenient intervals prior thereto, the department of administration shall amend the schedule and summaries set forth in s. 20.005 to include all fiscal acts of the legislature, and submit the composite amended schedule and summaries to the joint committee on finance for approval. When approved, the department of administration shall then submit the schedule and summaries to the revisor of statutes who shall print the revised schedules and summaries of all state funds in the ensuing issue of the statutes as part of s. 20.005 and in lieu of the schedules and summaries printed in the preceding issue of the statutes. If any conflict exists between ss. 20.100 to 20.899 and s. 20.005, ss. 20.100 to 20.899 shall control and s. 20.005 shall be changed to correspond with ss. 20.100 to 20.899. All appropriations are to be rounded to the nearest \$100 and if any appropriation is made which is not so rounded the department of administration, when preparing the composite amended schedule and summaries, shall show the appropriation increased to the next \$100.

SECTION 120r. 20.004 (1) of the statutes is created to read:

20.004 (1) If the legislative reference bureau, in consultation with the cochairpersons of the joint committee on finance, determines that any bill introduced into either house of the legislature is a major fiscal bill because it would have a significant effect upon state revenues or expenditures, the legislative reference bureau shall have printed, as an appendix to the bill, a revised s. 20.005 (1) (figure), incorporating the changes in the general fund summary and in the summary of appropriations that would occur as a result of enactment of the bill. The department of administration shall provide the legislative reference bureau with the revised summaries.

SECTION 120s. 20.005 (1) of the statutes is repealed and recreated to read:

20.005 (1) SUMMARY OF ALL FUNDS. The budget governing fiscal operations for the state of Wisconsin for all funds from July 1, 1981, to June 30, 1983, is summarized as follows: [See Figure 20.005 (1) following]

Figure: 20.005 (1)

<b>General Fund Summary*</b>		
	<u>1981-82</u>	<u>1982-83</u>
<b>Revenues</b>		
Opening Balance, July 1	\$ -0-	\$ 55,688,000
Estimated Taxes	3,576,174,000	4,091,241,000
Estimated Departmental Revenues:	50,576,300	43,288,800
Transfer from Transportation Fund	30,500,000	2,800,000
Total Available	\$ 3,657,250,300	\$ 4,193,017,800
<b>Appropriations</b>		
Gross General Purpose Revenues	\$ 3,621,053,400	\$ 4,149,614,900
Less Estimated Lapses	-19,491,100	-33,161,800
Net Appropriations	\$ 3,601,562,300	\$ 4,116,453,100
ESTIMATED BALANCE, June 30	\$ 55,688,000	\$ 76,564,700
<b>Summary of Appropriations — All Funds*</b>		
	<u>1981-82</u>	<u>1982-83</u>
General Purpose Revenues	\$ 3,621,053,400	\$ 4,149,614,900
Segregated Revenues	(926,434,300)	(984,196,500)
Federal	248,711,300	242,090,900
Other	669,048,100	732,753,300
Service	8,674,900	9,352,300
Program Revenues	(2,184,127,700)	(2,347,747,900)
Federal	1,491,344,800	1,616,337,900
Other	625,082,300	659,059,800
Service	67,700,600	72,350,200
Bond Revenues	394,206,500	105,210,600
TOTAL APPROPRIATIONS	\$ 7,125,821,900	\$ 7,586,769,900

\* Figure 20.005 (1) does not reflect the effect of partial vetoes by the Governor, or of subsequent veto overrides by the Legislature (if any).

SECTION 120sm. 20.005 (2) of the statutes is repealed and recreated to read:

20.005 (2) APPROPRIATIONS. The following tabulation lists all appropriations authorized from annual and biennial appropriations and anticipated expenditures from sum sufficient and continuing appropriations for the programs and other purposes indicated. All appropriations are authorized from the general fund unless otherwise indicated. The letter abbreviations shown designating the type of appropriation apply to both years in the schedule unless otherwise indicated. [See Figure 20.005 (2) following]

Figure: 20.005 (2)

STATUTE, AGENCY and PURPOSE		SOURCE TYPE		1981-82	1982-83
<b>COMMERCE</b>					
<b>20.115 AGRICULTURE, TRADE &amp; CONSUMER PROTECTION, DEPARTMENT OF</b>					
<b>(1) FOOD AND TRADE REGULATION</b>					
(a)	General program operations	GPR	A	0	0
	Food inspection	GPR	A	2,730,200	2,782,300
	Trade practices	GPR	A	1,005,200	1,007,300
	Consumer protection	GPR	A	558,700	560,700
	General laboratory services	GPR	A	738,500	752,900
	NET APPROPRIATION			5,032,600	5,103,200
(b)	Meat and poultry inspection	GPR	A	1,447,700	1,456,600
(c)	Warehouse keeper and grain dealer regulation	GPR	A	136,100	136,600
<b>Vetoed in Part</b>	<del>Energy efficiency testing</del>	<del>GPR</del>	<del>A</del>	<del>80,800</del>	<del>81,800</del>
(g)	Related services	PR	A	40,000	40,000
(h)	Fertilizer research assessments	PR	C	150,000	150,000
(ha)	Liming material research funds	PR	A	8,000	8,000
(i)	Pesticide certification and regulation	PR	A	206,500	200,200
(j)	Weights and measures inspection	PR	A	132,100	130,400
(k)	Dairy trade regulation	PR	A	97,600	96,700
(l)	Weather modification regulation	PR	A	500	500
(m)	Federal funds	PR-F	C	1,890,900	1,900,600
(q)	Automobile repair regulation	SEG	A	155,000	155,000
(1) P R O G R A M				T O T A L S	
GENERAL PURPOSE REVENUES				6,696,700	6,718,200
PROGRAM REVENUE				2,525,600	2,526,400
FEDERAL (				1,890,900)	(1,900,600)
OTHER (				634,700)	(625,800)
SEGREGATED FUNDS				155,000	155,000
OTHER (				155,000)	(155,000)
TOTAL-ALL SOURCES				9,377,300	9,399,600
<b>(2) ANIMAL AND PLANT HEALTH SERVICES</b>					
(a)	General program operations	GPR	A	2,843,200	2,889,600
(b)	Animal disease indemnities	GPR	S	136,600	95,000
(g)	Related services	PR	A	470,800	445,300
(h)	Sale of supplies	PR	A	32,500	32,500
(i)	Mink research assessments	PR	A	3,000	3,000
(j)	Dog licenses, rabies control and related services	PR	A	15,000	15,000
(m)	Federal funds	PR-F	C	123,800	117,200
(2) P R O G R A M				T O T A L S	
GENERAL PURPOSE REVENUES				2,979,800	2,984,600
PROGRAM REVENUE				645,100	613,000
FEDERAL (				123,800)	(117,200)
OTHER (				521,300)	(495,800)
TOTAL-ALL SOURCES				3,624,900	3,597,600
<b>(3) MARKETING SERVICES</b>					
(a)	General program operations	GPR	A	1,384,700	1,384,800
(g)	Related services	PR	A	584,500	578,300
(h)	Grain regulation--Milwaukee	PR	A	1,261,400	1,242,000
(i)	Marketing orders	PR	A	60,000	60,000
(j)	Grain regulation--Superior	PR	A	3,778,600	3,780,900
(k)	Potato board; assessments	PR	A	109,900	109,900
(km)	Potato board; gifts and grants	PR	C	8,000	8,000
(m)	Federal funds	PR-F	C	24,000	24,000
(3) P R O G R A M				T O T A L S	
GENERAL PURPOSE REVENUES				1,384,700	1,384,800
PROGRAM REVENUE				5,826,400	5,803,100
FEDERAL (				24,000)	(24,000)
OTHER (				5,802,400)	(5,779,100)
TOTAL-ALL SOURCES				7,211,100	7,187,900

STATUTE, AGENCY and PURPOSE SOURCE TYPE 1981-82 1982-83

(4)	AGRICULTURAL ASSISTANCE					
(a)	Aid to Wisconsin livestock breeders association	GPR	A	28,000		28,000
(b)	Aids to county and district fairs	GPR	A	368,500		368,500
(c)	Administration of county and district fair aids	GPR	A	32,300		32,300
(e)	Premium aids to world dairy expo, inc	GPR	A	50,000		50,000
	(4) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			478,800		478,800
	TOTAL-ALL SOURCES			478,800		478,800
(5)	STATE FAIR PARK					
(h)	State fair operations	PR	A	4,661,900		4,879,900
(i)	State fair capital improvement	PR	C	224,000		224,000
(j)	State fair principal repayment and interest	PR	S	564,700		637,800
	(5) PROGRAM TOTALS					
	PROGRAM REVENUE			5,450,600		5,741,700
	OTHER	(		5,450,600)		5,741,700)
	TOTAL-ALL SOURCES			5,450,600		5,741,700
(6)	PRESERVATION OF FARMLAND					
(a)	General program operations	GPR	A	153,000		148,100
(b)	Preliminary mapping; agricultural land preservation	GPR	B	100,000		0
	(6) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			253,000		148,100
	TOTAL-ALL SOURCES			253,000		148,100
(7)	LAND CONSERVATION					
(a)	General program operations	GPR	A	0		155,900
(b)	Soil and water conservation project aids	GPR	A	0		464,600
(c)	Erosion control program aids	GPR	A	0		0
(d)	Soil and water conservation--gifts and grants	PR	C	0		0
(m)	Soil and water conservation--federal funds	PR-F	C	0		8,500
	(7) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			0		620,500
	PROGRAM REVENUE			0		8,500
	FEDERAL	(		0)		8,500)
	OTHER	(		0)		0)
	TOTAL-ALL SOURCES			0		629,000
(8)	CENTRAL ADMINISTRATIVE SERVICES					
(a)	General program operations	GPR	A	1,147,700		1,146,000
(g)	Agricultural impact statements	PR	C	31,400		31,400
(h)	Sale of supplies	PR	A	12,300		12,300
	(8) PROGRAM TOTALS					
	GENERAL PURPOSE REVENUES			1,147,700		1,146,000
	PROGRAM REVENUE			43,700		43,700
	OTHER	(		43,700)		43,700)
	TOTAL-ALL SOURCES			1,191,400		1,189,700
	20.115 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			12,940,700		13,481,000
	PROGRAM REVENUE			14,491,400		14,736,400
	FEDERAL	(		2,038,700)		2,050,300)
	OTHER	(		12,452,700)		12,686,100)
	SEGREGATED FUNDS			155,000		155,000
	OTHER	(		155,000)		155,000)
	TOTAL-ALL SOURCES			27,587,100		28,372,400

Vetoed  
in Part

20.124 BANKING, OFFICE OF THE COMMISSIONER OF

(1)	SUPERVISION OF BANKS & RELATED FINANCIAL INSTITUTIONS					
(a)	Losses on public deposits	GPR	S	0		0
(g)	General program operations	PR	A	2,606,600		2,625,300
(h)	Unclaimed funds	PR	C	0		0
(u)	State deposit fund	SEG	S	0		0
	20.124 DEPARTMENT TOTALS					
	GENERAL PURPOSE REVENUES			0		0
	PROGRAM REVENUE			2,606,600		2,625,300
	OTHER	(		2,606,600)		2,625,300)
	SEGREGATED FUNDS			0		0
	OTHER	(		0)		0)
	TOTAL-ALL SOURCES			2,606,600		2,625,300

20.141 CREDIT UNIONS, OFFICE OF THE COMMISSIONER OF

(1)	SUPERVISION OF CREDIT UNIONS					
(g)	General program operations	PR	A	805,200		811,400

STATUTE, AGENCY and PURPOSE		SOURCE TYPE		1981-82	1982-83
20.141 DEPARTMENT TOTALS					
PROGRAM REVENUE				805,200	811,400
OTHER				( 805,200 )	( 811,400 )
TOTAL-ALL SOURCES				805,200	811,400
<b>20.143 DEVELOPMENT, DEPARTMENT OF</b>					
<b>(1) ECONOMIC AND COMMUNITY DEVELOPMENT</b>					
(a)	General program operations	GPR	A	1,088,700	1,174,100
(b)	Economic development promotion	GPR	B	85,100	85,100
(c)	Planning aids	GPR	B	372,900	372,900
(g)	Gifts and grants	PR	C	3,000	3,000
(m)	Federal aid, state operations	PR-F	C	479,100	106,700
(n)	Federal aid, local assistance	PR-F	C	359,000	359,000
(o)	Federal aid, individuals and organizations	PR-F	C	0	0
(x)	Industrial building construction loan fund	SEG	C	0	0
				(1) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				1,546,700	1,632,100
PROGRAM REVENUE				841,100	468,700
FEDERAL				( 838,100 )	( 465,700 )
OTHER				( 3,000 )	( 3,000 )
SEGREGATED FUNDS				0	0
TOTAL-ALL SOURCES				2,387,800	2,100,800
<b>(2) TOURISM DEVELOPMENT AND PROMOTION</b>					
(a)	General program operations	GPR	A	939,700	945,900
(b)	Tourism marketing	GPR	B	643,600	643,600
(g)	Gifts and grants	PR	C	3,000	3,000
(m)	Federal aid, state operations	PR-F	C	0	0
(n)	Federal aid, local assistance	PR-F	C	0	0
(o)	Federal aid, individuals and organizations	PR-F	C	0	0
				(2) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				1,583,300	1,589,500
PROGRAM REVENUE				3,000	3,000
FEDERAL				( 0 )	( 0 )
OTHER				( 3,000 )	( 3,000 )
TOTAL-ALL SOURCES				1,586,300	1,592,500
<b>(3) HOUSING ASSISTANCE</b>					
(a)	General program operations	GPR	A	553,100	553,900
(b)	Housing development fund	GPR	B	157,500	157,500
(d)	Housing rehabilitation--aids to localities	GPR	C	0	0
(e)	Housing rehabilitation--aids to organizations	GPR	C	0	0
(ea)	Preliminary mapping; agricultural land preservation	GPR	B	100,000	0
(f)	Housing loans--aids to localities	GPR	A	0	0
(fa)	Housing loans--aids to organizations	GPR	A	0	0
(g)	Gifts, grants and program services	PR	C	3,700	3,700
(h)	Plat review	PR	A	134,400	134,400
(j)	Housing loans--aids to localities	PR	A	0	0
(l)	Housing loans -- aids to organizations	PR	A	30,000	30,000
(m)	Federal aid, state operations	PR-F	C	30,100	30,100
(n)	Federal aid, local assistance	PR-F	C	0	0
(o)	Federal aid, individuals and organizations	PR-F	C	0	0
				(3) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				810,600	711,400
PROGRAM REVENUE				718,200	718,200
FEDERAL				( 550,100 )	( 550,100 )
OTHER				( 168,100 )	( 168,100 )
TOTAL-ALL SOURCES				1,528,800	1,429,600
<b>(4) EXECUTIVE AND ADMINISTRATIVE SERVICES</b>					
(a)	General program operations	GPR	A	1,304,300	1,305,800
(g)	Gifts, grants and program services	PR	C	8,900	8,900
(m)	Federal aid, state operations	PR-F	C	378,700	378,700
(n)	Federal aid, local assistance	PR-F	C	0	0
(o)	Federal aid, individuals and organizations	PR-F	C	0	0
				(4) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				1,304,300	1,305,800
PROGRAM REVENUE				387,600	387,600
FEDERAL				( 378,700 )	( 378,700 )

STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
OTHER		(	8,900)	( 8,900)
TOTAL-ALL SOURCES			1,691,900	1,693,400
20.143 DEPARTMENT			TOTALS	
GENERAL PURPOSE REVENUES			5,244,900	5,238,800
PROGRAM REVENUE			1,949,900	1,577,500
FEDERAL		(	1,766,900)	( 1,394,500)
OTHER		(	183,000)	( 183,000)
SEGREGATED FUNDS			0	0
OTHER		(	0)	( 0)
TOTAL-ALL SOURCES			7,194,800	6,816,300
<b>20.145 INSURANCE, OFFICE OF THE COMMISSIONER OF</b>				
<b>(1) SUPERVISION OF THE INSURANCE INDUSTRY</b>				
(g)	General program operations	PR	A 2,617,100	2,617,700
(m)	Federal funds	PR-F	C 0	0
		(1) PROGRAM	TOTALS	
PROGRAM REVENUE			2,617,100	2,617,700
FEDERAL		(	0)	( 0)
OTHER		(	2,617,100)	( 2,617,700)
TOTAL-ALL SOURCES			2,617,100	2,617,700
<b>(2) PATIENTS COMPENSATION FUND</b>				
(u)	Administration	SEG	A 101,700	102,600
(v)	Operations and benefits	SEG	C 5,000,000	6,000,000
		(2) PROGRAM	TOTALS	
SEGREGATED FUNDS			5,101,700	6,102,600
OTHER		(	5,101,700)	( 6,102,600)
TOTAL-ALL SOURCES			5,101,700	6,102,600
<b>(3) LOCAL GOVERNMENT PROPERTY INSURANCE FUND</b>				
(u)	Administration	SEG	A 153,400	164,700
(v)	Operations and benefits	SEG	C 2,693,000	2,693,000
		(3) PROGRAM	TOTALS	
SEGREGATED FUNDS			2,846,400	2,857,700
OTHER		(	2,846,400)	( 2,857,700)
TOTAL-ALL SOURCES			2,846,400	2,857,700
<b>(4) STATE LIFE INSURANCE FUND</b>				
(u)	Administration	SEG	A 170,400	174,600
(v)	Operations and benefits	SEG	C 905,000	955,000
		(4) PROGRAM	TOTALS	
SEGREGATED FUNDS			1,075,400	1,129,600
OTHER		(	1,075,400)	( 1,129,600)
TOTAL-ALL SOURCES			1,075,400	1,129,600
<b>(6) INSURANCE SECURITY</b>				
(u)	Insurance security fund	SEG	C 1,614,000	1,664,000
(v)	Temporary worker's compensation insurance fund	SEG	C 0	0
		(6) PROGRAM	TOTALS	
SEGREGATED FUNDS			1,614,000	1,664,000
OTHER		(	1,614,000)	( 1,664,000)
TOTAL-ALL SOURCES			1,614,000	1,664,000
<b>(7) HEALTH INSURANCE RISK SHARING PLAN ADMINISTRATION</b>				
(u)	Administration	SEG	C 151,600	151,800
(v)	Operations and benefits	SEG	C 231,600	634,400
		(7) PROGRAM	TOTALS	
SEGREGATED FUNDS			383,200	786,200
OTHER		(	383,200)	( 786,200)
TOTAL-ALL SOURCES			383,200	786,200
20.145 DEPARTMENT			TOTALS	
PROGRAM REVENUE			2,617,100	2,617,700
FEDERAL		(	0)	( 0)
OTHER		(	2,617,100)	( 2,617,700)
SEGREGATED FUNDS			11,020,700	12,540,100
OTHER		(	11,020,700)	( 12,540,100)
TOTAL-ALL SOURCES			13,637,800	15,157,800
<b>20.155 PUBLIC SERVICE COMMISSION</b>				
<b>(1) REGULATION OF PUBLIC UTILITIES</b>				
(g)	Utility regulation	PR	A 4,870,500	4,843,300
(m)	Federal funds	PR-F	C 253,300	67,700
		20.155 DEPARTMENT	TOTALS	
PROGRAM REVENUE			5,123,800	4,911,000
FEDERAL		(	253,300)	( 67,700)
OTHER		(	4,870,500)	( 4,843,300)
TOTAL-ALL SOURCES			5,123,800	4,911,000
<b>20.165 REGULATION AND LICENSING, DEPARTMENT OF</b>				
<b>(2) PROFESSIONAL REGULATION</b>				
(g)	General program operations	PR	A 3,866,700	3,811,400
(m)	Federal funds	PR-F	C 0	0



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STATUTE, AGENCY and PURPOSE SOURCE TYPE 1981-82

1982-83

	(2) PROGRAM TOTALS		
PROGRAM REVENUE	3,866,700		3,811,400
FEDERAL	( 0 )	(	0)
OTHER	( 3,866,700 )	(	3,811,400)
TOTAL-ALL SOURCES	3,866,700		3,811,400
20.165 DEPARTMENT	TOTALS		
PROGRAM REVENUE	3,866,700		3,811,400
FEDERAL	( 0 )	(	0)
OTHER	( 3,866,700 )	(	3,811,400)
TOTAL-ALL SOURCES	3,866,700		3,811,400

20.175 SAVINGS AND LOAN, OFFICE OF THE COMMISSIONER OF

(1) SUPERVISION OF SAVINGS AND LOAN ASSOCIATIONS			
(g) General program operations	PR A	670,500	674,600
20.175 DEPARTMENT	TOTALS		
PROGRAM REVENUE	670,500		674,600
OTHER	( 670,500 )	(	674,600)
TOTAL-ALL SOURCES	670,500		674,600

20.185 SECURITIES, OFFICE OF THE COMMISSIONER OF

(1) SECURITIES AND FRANCHISE INVESTMENT REGULATION			
(g) General program operations	PR A	903,400	868,100
(m) Federal funds	PR-F C	0	0
20.185 DEPARTMENT	TOTALS		
PROGRAM REVENUE	903,400		868,100
FEDERAL	( 0 )	(	0)
OTHER	( 903,400 )	(	868,100)
TOTAL-ALL SOURCES	903,400		868,100

COMMERCE

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES	18,185,600		18,719,800
PROGRAM REVENUE	33,034,600		32,633,400
FEDERAL	( 4,058,900 )	(	3,512,500)
OTHER	( 28,975,700 )	(	29,120,900)
SERVICE	( 0 )	(	0)
BOND REVENUE	0		0
SEGREGATED FUNDS	11,175,700		12,695,100
FEDERAL	( 0 )	(	0)
OTHER	( 11,175,700 )	(	12,695,100)
SERVICE	( 0 )	(	0)
TOTAL-ALL SOURCES	62,395,900		64,048,300

EDUCATION

20.215 ARTS BOARD

(1) SUPPORT OF ARTS PROJECTS			
(a) General program operations	GPR A	227,000	225,800
(b) State aid for the arts	GPR A	563,900	563,900
(g) Gifts and grants; state operations	PR C	1,500	1,500
(h) Gifts and grants; aids to individuals & organizations	PR C	0	0
(m) Federal grants; state operations	PR-F C	68,200	68,200
(o) Federal grants; aids to individuals and organizations	PR-F C	387,000	387,000
20.215 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES	790,900		789,700
PROGRAM REVENUE	456,700		456,700
FEDERAL	( 455,200 )	(	455,200)
OTHER	( 1,500 )	(	1,500)
TOTAL-ALL SOURCES	1,247,600		1,246,400

20.225 EDUCATIONAL COMMUNICATIONS BOARD

(1) INSTRUCTIONAL TECHNOLOGY			
(a) General program operations	GPR A	2,302,100	2,302,100
(b) Utilities and heating	GPR A	464,900	515,000
(c) Principal repayment and interest	GPR S	304,600	295,700
(f) Programming	GPR A	1,434,800	1,434,800
(g) Gifts and grants	PR C	2,057,700	2,071,700
(h) Instructional materials	PR A	51,300	51,300
(m) Federal grants	PR-F C	68,400	68,400
20.225 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES	4,506,400		4,547,600
PROGRAM REVENUE	2,177,400		2,191,400
FEDERAL	( 68,400 )	(	68,400)

STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
OTHER		(	2,109,000)	2,123,000)
TOTAL-ALL SOURCES			6,683,800	6,739,000
<b>20.235 HIGHER EDUCATIONAL AIDS BOARD</b>				
<b>(1) STUDENT SUPPORT ACTIVITIES</b>				
(b)	Tuition grants	GPR A	10,782,900	10,782,900
(c)	Loan forgiveness for critical manpower occupations	GPR S	335,000	259,000
(d)	Dental education contract	GPR A	1,968,300	1,889,600
(e)	Minnesota-Wisconsin student reciprocity agreement	GPR S	0	0
(fb)	Indian student assistance	GPR A	900,000	900,000
(fe)	Wisconsin higher education grants	GPR A	6,204,400	6,774,000
(ff)	Wisconsin health education loan program grants	GPR A	0	0
(g)	Student loans	PR A	0	0
(gn)	Medical student loans	PR A	0	0
(i)	Gifts and grants	PR C	0	0
(m)	Federal aid; grants	PR-F C	3,569,600	3,000,000
(no)	Federal aid; aids to individuals and organizations	PR-F C	1,625,400	1,625,400
(s)	State direct loans	BR C	25,000,000	0
(t)	Wisconsin health education loans	BR C	5,000,000	0
			(1) P R O G R A M	T O T A L S
GENERAL PURPOSE REVENUES			20,190,600	20,605,500
PROGRAM REVENUE			5,195,000	4,625,400
FEDERAL			5,195,000)	4,625,400)
OTHER			(	(
BOND REVENUE			30,000,000	0
TOTAL-ALL SOURCES			55,385,600	25,230,900
<b>(2) ADMINISTRATION</b>				
(aa)	General program operations	GPR A	0	0
(ba)	Student loan interest	GPR S	175,000	125,000
(bb)	Student loan interest, loans sold or conveyed	GPR S	0	0
(bc)	Write-off of uncollectible student loans	GPR A	0	0
(ga)	Student interest payments	PR C	380,000	300,000
(gb)	Student interest payments, loans sold or conveyed	PR C	0	0
(ha)	Medical loan collections; interest and principal	PR C	0	0
(hb)	Centralized lender collections; interest & principal	PR C	0	0
(ia)	Centralized lender collections, fees	PR A	949,800	1,248,700
(ja)	Write-off of defaulted student loans	PR A	0	0
(ma)	Federal interest payments	PR-F C	95,000	75,000
(mb)	Federal interest payments, loans sold or conveyed	PR-F C	0	0
(n)	Federal aid; state operations	PR-F C	3,559,800	3,792,000
(qa)	Student loan repayment	SEG C	0	0
(qb)	Wisconsin health education loan repayment	SEG C	20,900	23,000
			(2) P R O G R A M	T O T A L S
GENERAL PURPOSE REVENUES			175,000	125,000
PROGRAM REVENUE			4,984,600	5,415,700
FEDERAL			3,654,800)	3,867,000)
OTHER			(	(
SEGREGATED FUNDS			1,329,800)	1,548,700)
OTHER			(	(
TOTAL-ALL SOURCES			5,180,500	5,563,700
<b>20.235 DEPARTMENT</b>				
			T O T A L S	
GENERAL PURPOSE REVENUES			20,365,600	20,730,500
PROGRAM REVENUE			10,179,600	10,041,100
FEDERAL			(	(
OTHER			8,849,800)	8,492,400)
BOND REVENUE			(	(
SEGREGATED FUNDS			1,329,800)	1,548,700)
OTHER			(	(
TOTAL-ALL SOURCES			30,000,000	0
OTHER			20,900	23,000
TOTAL-ALL SOURCES			(	(
			20,900)	23,000)
			60,566,100	30,794,600
<b>20.245 HISTORICAL SOCIETY</b>				
<b>(1) COLLECT, PRESERVE AND INTERPRET HISTORIC MATERIALS</b>				
(a)	General program operations	GPR A	3,158,900	3,120,300
(b)	Archaeological society quarterly	GPR A	700	800
(bm)	Distribution of the history of Wisconsin	GPR C	0	0

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STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
(c)	Utilities and heat	GPR A	196,600	217,500
(e)	Principal repayment and interest	GPR S	238,500	294,700
(f)	Historic sites opns., maint., acquisition & development	GPR A	275,800	230,800
(fa)	Historic preservation	GPR A	128,900	127,000
(fb)	Portraits of governors	GPR A	9,200	9,200
(g)	Admissions, sales and other receipts	PR A	1,265,200	1,235,700
(h)	Trust funds	PR C	502,500	502,500
(m)	Federal funds; state operations	PR-F C	1,221,700	1,221,700
(n)	Federal funds; aids to ind. and organizations	PR-F C	300,000	300,000
2 0 . 2 4 5 D E P A R T M E N T			T O T A L S	
GENERAL PURPOSE REVENUES			4,008,600	4,000,300
PROGRAM REVENUE			3,289,400	3,259,900
FEDERAL			( 1,521,700 )	( 1,521,700 )
OTHER			( 1,767,700 )	( 1,738,200 )
TOTAL-ALL SOURCES			7,298,000	7,260,200

20.250 MEDICAL COLLEGE OF WISCONSIN

(1)	TRAINING OF HEALTH MANPOWER			
(a)	General program operations	GPR A	4,880,300	4,751,400
(b)	Family medicine and practice	GPR A	986,300	988,900
(e)	Principal repayment and interest	GPR S	723,900	702,600
2 0 . 2 5 0 D E P A R T M E N T			T O T A L S	
GENERAL PURPOSE REVENUES			6,590,500	6,442,900
TOTAL-ALL SOURCES			6,590,500	6,442,900

20.255 PUBLIC INSTRUCTION, DEPARTMENT OF

(1)	EQUAL EDUCATIONAL OPPORTUNITIES			
(a)	General program operations	GPR A	6,496,900	6,606,000
(bb)	Bilingual-bicultural education aids	GPR A	1,700,700	2,974,600
(bc)	Aid for handicapped individuals	GPR B	60,000	60,500
(bd)	Aids for handicapped education	GPR A	108,810,200	122,646,400
(cc)	General equalization aids	GPR A	731,805,800	894,488,900
	Applied receipts	GPR A	0	0
	NET APPROPRIATION		731,805,800	894,488,900
(cd)	General aid; federal revenue sharing	GPR C	0	0
(cf)	Tuition payments	GPR A	1,808,600	2,004,800
(ch)	Aid for cooperative educ. service agencies	GPR A	947,000	961,400
(cj)	Aid for agency school committees	GPR A	206,900	239,400
(fe)	Aids for school lunches and elderly nutrition	GPR A	4,018,000	4,403,600
(fg)	Aid for pupil transportation	GPR B	15,949,700	15,706,900
(fk)	Tax base loss reimbursement	GPR B	3,250,500	3,400,000
(fo)	Supplemental state aid	GPR B	3,556,100	6,043,000
(fq)	Aid to organizations	GPR A	75,000	75,000
(fs)	Special adjustment aids	GPR A	<del>98,000</del>	<del>98,000</del>
(g)	Alcohol and other drug abuse program	PR B	187,200	187,700
(gm)	Aid for alcohol and other drug abuse programs	PR B	246,000	246,000
(h)	Gifts, grants and trust funds	PR C	92,000	92,000
(ha)	Personnel certification	PR A	561,900	569,400
(hz)	Gifts, grants and trust funds; aids to ind. and org.	PR C	0	0
(i)	Publications	PR A	47,200	47,500
(j)	School lunch handling charges	PR A	986,000	1,076,100
(m)	Federal aids; program operations	PR-F C	8,135,600	8,112,600
(mn)	Federal aids; local aid	PR-F C	103,816,200	105,282,900
(ro)	Federal aids; individuals and organizations	PR-F C	7,520,300	7,520,300
(r)	Driver education; local assistance	SEG A	2,820,000	2,720,000
(s)	Integrated oil company taxation fund	SEG C	<del>0</del>	<del>0</del>
(1) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			878,765,400	1,059,910,500
PROGRAM REVENUE			121,592,400	123,134,500
FEDERAL			( 119,472,100 )	( 120,915,800 )
OTHER			( 2,120,300 )	( 2,218,700 )

Vetoed  
in Part

Vetoed  
in Part

STATUTE, AGENCY and PURPOSE		SOURCE TYPE		1981-82	1982-83
SEGREGATED FUNDS				2,820,000	2,720,000
OTHER				( 2,820,000 )	( 2,720,000 )
TOTAL-ALL SOURCES				1,003,177,800	1,185,765,000
(2)	RESIDENTIAL SCHOOLS				
(a)	General program operations	GPR	A	5,584,300	5,580,300
(b)	Utilities and heating	GPR	A	466,300	551,100
(c)	Debt service	GPR	S	383,400	404,500
(g)	Student activity therapy	PR	A	6,700	6,700
(h)	Gifts, grants and trust funds	PR	C	4,000	4,000
(i)	Professional services center charges	PR	A	20,800	21,400
(m)	Federal funds; program operations	PR-F	C	578,800	578,800
(2) P R O G R A M T O T A L S				6,434,000	6,535,900
GENERAL PURPOSE REVENUES				610,300	610,900
PROGRAM REVENUE				( 578,800 )	( 578,800 )
FEDERAL				( 31,500 )	( 32,100 )
OTHER				7,044,300	7,146,800
TOTAL-ALL SOURCES					
(3)	LIBRARY SERVICES				
(a)	General program operations	GPR	A	1,632,600	1,637,700
(ab)	Library for the blind	GPR	A	346,700	348,700
(c)	Public library systems planning grants	GPR	B	2,500	0
(d)	Aid to public library systems	GPR	A	5,055,400	5,745,100
(h)	Gifts, grants and trust funds	PR	C	0	0
(k)	State agency library processing center	PR-S	A	38,700	38,700
(m)	Federal funds; program operations	PR-F	C	662,200	629,900
(mn)	Federal funds; local aids	PR-F	C	786,400	786,400
(mo)	Federal funds; individual and organization aid	PR-F	C	0	0
(s)	School library aids	SEG	C	4,716,400	5,000,000
(3) P R O G R A M T O T A L S				7,037,200	7,731,500
GENERAL PURPOSE REVENUES				1,487,300	1,455,000
PROGRAM REVENUE				( 1,448,600 )	( 1,416,300 )
FEDERAL				( 0 )	( 0 )
OTHER				( 38,700 )	( 38,700 )
SERVICE				4,716,400	5,000,000
SEGREGATED FUNDS				( 4,716,400 )	( 5,000,000 )
OTHER				13,240,900	14,186,500
TOTAL-ALL SOURCES					
(4)	AIDS FOR PRIVATE SCHOOL PUPILS				
(bd)	Aids for handicapped education	GPR	A	656,800	802,400
(fe)	Aids for school lunches	GPR	A	585,300	642,400
(fg)	Aid for pupil transportation	GPR	B	2,105,200	2,073,100
(fn)	Alternative school Am. Indian lang. & culture educ. aid	GPR	A	54,200	57,800
(4) P R O G R A M T O T A L S				3,401,500	3,575,700
GENERAL PURPOSE REVENUES				3,401,500	3,575,700
TOTAL-ALL SOURCES					
2 0 . 2 5 5 D E P A R T M E N T T O T A L S				895,638,100	1,077,753,600
GENERAL PURPOSE REVENUES				123,690,000	125,200,400
PROGRAM REVENUE				( 121,499,500 )	( 122,910,900 )
FEDERAL				( 2,151,800 )	( 2,250,800 )
OTHER				( 38,700 )	( 38,700 )
SERVICE				7,536,400	7,720,000
SEGREGATED FUNDS				( 7,536,400 )	( 7,720,000 )
OTHER				1,026,864,500	1,210,674,000
TOTAL-ALL SOURCES					

**20.285 UNIVERSITY OF WISCONSIN SYSTEM**

(1)	UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE				
(a)	General program operations	GPR	A	372,215,600	376,512,500
(ab)	Student aid	GPR	A	3,350,900	3,350,900
(c)	Utilities and heating	GPR	A	33,267,700	36,899,100
(d)	Principal repayment and interest				
(da)	Lease rental payments	GPR	S	35,955,600	39,600,700
(db)	Self-amortizing facilities	GPR	S	8,359,400	7,906,500
(fa)	General medical operations	GPR	S	0	0
(fc)	Department of family medicine and practice	GPR	A	2,422,800	2,447,500
(fd)	State laboratory of hygiene; general program operations	GPR	A	3,108,800	3,333,000
(g)	Physical plant service departments	GPR	A	2,899,600	2,929,200
(ga)	Surplus auxiliary funds	PR	A	0	0
(gb)	Principal repayment and interest	PR	C	0	0
		PR	S	5,808,900	5,854,400

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STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
(gc)	Lease rental payments	PR S	8,895,800	8,895,800
(h)	Auxiliary enterprises	PR A	131,836,500	142,840,000
(ha)	Stores	PR A	76,700	76,700
(i)	State laboratory of hygiene	PR A	3,020,800	3,172,600
(ia)	State laboratory of hygiene, drivers	PR A	14,000	28,000
(im)	Academic student fees	PR A	131,457,800	133,275,000
(iz)	General operations receipts	PR A	22,489,700	24,713,600
(j)	Gifts and donations	PR C	32,943,800	35,246,300
(ja)	Gifts; student loans	PR C	1,800,000	1,800,000
(k)	Adult education center operations	PR A	89,500	89,500
(ka)	Sale of real property	PR A	0	0
(kb)	University of Wisconsin hospital and clinics	PR A	68,643,800	68,643,800
(m)	Federal aid	PR-F C	130,449,000	141,086,600
(ma)	Federal aid; loans and grants	PR-F C	58,978,400	58,978,400
(n)	Federal indirect cost reimbursement	PR-F C	22,726,600	24,772,100
(u)	Trust fund income	SEG C	2,700,000	2,700,000
(w)	Trust fund operations	SEG C	0	0
(x)	Driver education teachers	SEG A	63,500	63,500
2 0 . 2 8 5 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			461,580,400	472,979,400
PROGRAM REVENUE			619,231,300	649,472,800
FEDERAL			( 212,154,000)	( 224,837,100)
OTHER			( 407,077,300)	( 424,635,700)
SEGREGATED FUNDS			2,763,500	2,763,500
OTHER			( 2,763,500)	( 2,763,500)
TOTAL-ALL SOURCES			1,083,575,200	1,125,215,700

20.292 VOCATIONAL, TECHNICAL AND ADULT EDUCATION, BOARD OF

(1) VOCATIONAL, TECHNICAL AND ADULT EDUCATION				
(a)	General program operations	GPR A	1,418,100	1,417,900
(c)	Fire schools	GPR A	79,500	79,500
(d)	State aid for vocational, tech. and adult education	GPR A	59,201,000	65,262,100
(g)	Text materials	PR A	1,000	1,000
(h)	Gifts and grants	PR C	20,600	20,600
(i)	Conferences	PR C	6,100	6,100
(j)	Personnel certification	PR A	70,100	70,300
(k)	Gifts and grants	PR C	22,200	22,200
(ka)	Interagency projects; local assistance	PR-S A	570,700	570,700
(kb)	Interagency projects; state operations	PR-S A	220,700	220,700
(m)	Federal aid, state operations	PR-F C	2,794,700	2,794,500
(n)	Federal aid, local assistance	PR-F C	11,603,900	11,603,900
(o)	Fed. aid, aids to individuals and organizations	PR-F C	956,500	956,500
(u)	Driver education, local assistance	SEG A	206,300	206,300
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			60,698,600	66,759,500
PROGRAM REVENUE			16,266,500	16,266,500
FEDERAL			( 15,355,100)	( 15,354,900)
OTHER			( 120,000)	( 120,200)
SERVICE			( 791,400)	( 791,400)
SEGREGATED FUNDS			206,300	206,300
OTHER			( 206,300)	( 206,300)
TOTAL-ALL SOURCES			77,171,400	83,232,300
(2) EDUCATIONAL APPROVAL BOARD				
(a)	General program operations	GPR A	53,500	53,500
(g)	Proprietary school permits	PR A	14,600	14,600
(m)	Federal aid	PR-F C	129,300	129,300
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			53,500	53,500
PROGRAM REVENUE			143,900	143,900
FEDERAL			( 129,300)	( 129,300)
OTHER			( 14,600)	( 14,600)
TOTAL-ALL SOURCES			197,400	197,400
2 0 . 2 9 2 D E P A R T M E N T T O T A L S				
GENERAL PURPOSE REVENUES			60,752,100	66,813,000
PROGRAM REVENUE			16,410,400	16,410,400
FEDERAL			( 15,484,400)	( 15,484,200)
OTHER			( 134,600)	( 134,800)
SERVICE			( 791,400)	( 791,400)
SEGREGATED FUNDS			206,300	206,300
OTHER			( 206,300)	( 206,300)
TOTAL-ALL SOURCES			77,368,800	83,429,700

STATUTE, AGENCY and PURPOSE SOURCE TYPE 1981-82

1982-83

EDUCATION		FUNCTIONAL AREA TOTALS	
GENERAL PURPOSE REVENUES		1,454,232,600	1,654,057,000
PROGRAM REVENUE		775,434,800	807,032,700
FEDERAL	(	360,033,000)	( 373,769,900)
OTHER	(	414,571,700)	( 432,432,700)
SERVICE	(	830,100)	( 830,100)
BOND REVENUE		30,000,000	0
SEGREGATED FUNDS		10,527,100	10,712,800
FEDERAL	(	0)	( 0)
OTHER	(	10,527,100)	( 10,712,800)
SERVICE	(	0)	( 0)
TOTAL-ALL SOURCES		2,270,194,500	2,471,802,500

ENVIRONMENTAL RESOURCES

20.315 BOUNDARY AREA COMMISSION,  
MINNESOTA-WISCONSIN

(1) BOUNDARY AREA COOPERATION			
(a) General program operations	GPR A	54,800	60,000
(g) Gifts or grants	PR C	0	0
2 0 . 3 1 5 D E P A R T M E N T T O T A L S			
GENERAL PURPOSE REVENUES		54,800	60,000
PROGRAM REVENUE		0	0
OTHER	(	0)	( 0)
TOTAL-ALL SOURCES		54,800	60,000

20.325 GREAT LAKES COMPACT COMMISSION

(1) DEVELOPMENT OF SEAWAYS AND PORTS			
(a) General program operations	GPR A	0	0
2 0 . 3 2 5 D E P A R T M E N T T O T A L S			
GENERAL PURPOSE REVENUES		0	0
TOTAL-ALL SOURCES		0	0

20.370 NATURAL RESOURCES, DEPARTMENT OF

(1) RESOURCE MANAGEMENT			
(cq) Forestry-reforestation	SEG C	100,000	100,000
(ea) Parks-general program operations	GPR A	2,557,000	2,660,200
(ed) Parks-Olympic ice rink repair and maintenance	GPR B	31,100	31,400
(fa) Endangered resources-general program operations	GPR A	57,100	58,900
(fb) Endangered resources-scientific areas inventory	GPR A	19,100	21,200
<del>(gg) Wis. civilian conservation corps--other funds</del>	<del>SEG A</del>	<del>0</del>	<del>0</del>
<del>(gv) Wis. civilian conservation corps--state funds</del>	<del>SEG B</del>	<del>2,000,800</del>	<del>1,000,800</del>
<del>(gy) Wis. civilian conservation corps--federal funds</del>	<del>SEG-F C</del>	<del>0</del>	<del>0</del>
(kb) Resource acq. and development, state funds	GPR C	1,350,500	1,279,300
(kc) Resource acq. and development--principal repay. & int.	GPR S	4,701,100	5,350,100
(kd) Res. acq. and dev.-Olympic ice rink lease rental payments	GPR S	35,400	35,400
(kq) Resource acq. and dev.-taxes and assessments	SEG B	60,000	60,000
<del>* (kr) Resource acq. and development--principal repay. &amp; int.</del>	<del>SEG S</del>	<del>0</del>	<del>0</del>
(ks) Resource acq. and development, state funds	SEG C	3,899,100	3,899,200
(kt) Resource acq. and development, wetland habitat improve.	SEG C	220,000	220,000
(kv) Resource acq. and dev.-trout habitat improvement	SEG C	405,400	405,400
(ky) Resource acq. and development, federal funds	SEG-F C	3,396,700	3,396,600
(ma) General program operations--state funds	GPR A	983,800	1,001,200
(mm) General program operations--federal funds	PR-F C	48,300	31,100
(mq) Gen. prog. oper.--state snowmobile trails & areas	SEG A	72,900	72,900
(mu) General program operations--state funds	SEG A	0	0
Fish management	SEG A	7,235,600	7,459,600
Wildlife management	SEG A	4,649,800	4,826,500
Forestry	SEG A	16,034,600	16,047,400
Southern forests	SEG A	1,664,100	1,693,800

\* Attorney general stated this veto is ineffective. See 70 O.A.G. 189 (1981).

STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
Parks	SEG A		2,746,800	2,859,000
Endangered resources	SEG A		146,400	152,100
Engineering	SEG A		733,600	745,000
Research	SEG A		983,600	998,900
Real estate	SEG A		209,100	211,100
NET APPROPRIATION			34,403,600	34,993,400
(my) General program operations- federal funds	SEG-F C		0	0
Fish management	SEG-F C		377,800	395,400
Wildlife management	SEG-F C		775,200	805,000
Forestry	SEG-F C		309,800	309,800
Southern forests	SEG-F C		108,400	108,400
Parks	SEG-F C		267,100	267,100
Endangered resources	SEG-F C		71,000	75,900
Research	SEG-F C		425,000	459,800
Real estate	SEG-F C		17,800	19,600
NET APPROPRIATION			2,352,100	2,441,000
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			9,735,100	10,437,700
PROGRAM REVENUE			48,300	31,100
FEDERAL	(	48,300)	(	31,100)
SEGREGATED FUNDS			46,909,800	46,628,500
FEDERAL	(	5,748,800)	(	5,837,600)
OTHER	(	41,161,000)	(	40,790,900)
TOTAL-ALL SOURCES			56,693,200	57,097,300
(2) ENVIRONMENTAL STANDARDS				
(ab) Water quality-wetlands mapping	GPR C		212,300	212,300
(ai) Water quality-aquatic nuisance control	PR C		10,000	10,400
(bj) Environmental damage compensation	PR C		38,400	38,400
(cc) Solid waste mgt.-initial fd.of hazard.subs. spill fund	GPR C		46,000	46,000
(cg) Solid waste mgt.-solid and haz. waste disposal admin.	PR A		268,500	339,600
(ch) Solid waste management-mining regulation and admin.	PR A		0	0
(cj) Solid waste mgt.-hazard. subs. spill fund, state funds	PR C		0	0
(cm) Solid waste mgt.-hazard. subs. spill fund, federal funds	PR-F C		0	0
(cq) Solid waste mgt.-waste management fund	SEG C		0	0
(dq) Air mgt.-motor veh.emission insp.& maint.prog.st.funds	SEG A		23,600	23,600
(ma) General program operations- state funds	GPR A		0	0
Water quality	GPR A		1,217,200	1,240,300
Waste water management	GPR A		1,727,500	1,748,000
Air management	GPR A		1,866,500	1,811,400
Solid waste management	GPR A		1,346,500	1,369,400
Water supply management	GPR A		652,800	657,600
Technical services	GPR A		374,000	378,600
NET APPROPRIATION			7,184,500	7,205,300
(mm) General program operations- federal funds	PR-F C		0	0
Water quality	PR-F C		1,338,600	1,395,100
Waste water management	PR-F C		1,677,900	1,809,900
Air management	PR-F C		1,308,700	1,308,000
Solid waste management	PR-F C		777,300	753,300
Water supply management	PR-F C		812,600	872,900
Technical services	PR-F C		31,600	34,200
NET APPROPRIATION			5,946,700	6,173,400
(2) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES			7,442,800	7,463,600
PROGRAM REVENUE			6,263,600	6,561,800
FEDERAL	(	5,946,700)	(	6,173,400)
OTHER	(	316,900)	(	388,400)
SEGREGATED FUNDS			23,600	23,600
OTHER	(	23,600)	(	23,600)
TOTAL-ALL SOURCES			13,730,000	14,049,000
(3) ENFORCEMENT				
(aq) Law enforce.-snowmobile enforce. & safety training	SEG A		237,600	237,600
(ar) Law enforcement-boat enforce. & safety training	SEG A		496,500	496,500
(ma) General program operations - state funds	GPR A		1,939,800	1,977,700
(mm) General program operations- federal funds	PR-F C		415,600	426,600
(mu) General program operations- state funds	SEG A		5,566,000	5,773,200
(my) General program operations- federal funds	SEG-F C		131,600	138,300

STATUTE, AGENCY and PURPOSE		(3) PROGRAM		TOTALS		1981-82	1982-83
GENERAL PURPOSE REVENUES				1,939,800			1,977,700
PROGRAM REVENUE				415,600			426,600
FEDERAL		(		415,600)		(	426,600)
SEGREGATED FUNDS				6,431,700			6,645,600
FEDERAL		(		131,600)		(	138,300)
OTHER		(		6,300,100)		(	6,507,300)
TOTAL-ALL SOURCES				8,787,100			9,049,900
(4) LOCAL SUPPORT							
(aa)	Resource aids-inland lake renewal - state funds	GPR	B	1,150,000			1,150,000
(am)	Resource aids-national forest income aids	PR-F	C	500,000			500,000
(ao)	Resource aids-inland lake renewal, federal funds	PR-F	C	0			0
(aq)	Resource aids-Canadian agen. migratory waterfowl aids	SEG	C	110,000			110,000
(ar)	Resource aids-county forests and forest croplands aids	SEG	B	1,384,100			1,384,100
(as)	Resource aids-county conservation aids	SEG	A	140,000			140,000
(at)	Resource aids--state park and forest road aids	SEG	A	240,000			250,000
(bq)	Recreation aids--fish,wildlife & forestry recreation aids	SEG	A	125,000			125,000
(bs)	Recreation aids-co. snowmobile trail and area aids	SEG	A	441,500			374,600
(bt)	Snowmobile trail areas--motor fuel tax aids	SEG	A	845,000			1,005,000
(bv)	Recreation aids--motorcycle recreation aids	SEG	B	385,000			385,000
(bx)	Recreation and resource aids, federal funds	SEG-F	C	2,791,400			2,791,400
(ca)	Environ. aids-nonpt.source poll.abate.grants;supp.fds	GPR	C	0			868,700
(cb)	Environ. aids-prior to bonding and for small projects	GPR	B	55,000			55,000
(cc)	Environ. aids-nonpoint source pollution abatement grants	GPR	C	2,681,300			2,949,400
(cd)	Environ. aids - on-land dredge disposal	GPR	C	0			0
(ce)	Environ. aids--nonpoint source local implement.aid	GPR	B	211,900			233,900
(cf)	Environ. planning aids-solid waste management grants	GPR	C	500,000			500,000
(cm)	Environ. aids-federal funds	PR-F	C	0			0
(da)	Environ. planning aids-local water quality planning	GPR	B	238,800			106,000
(ea)	Aids in lieu of taxes	GPR	S	413,000			413,000
(eq)	Aids in lieu of taxes	SEG	S	531,100			531,100
(fc)	Enforcement aids-floodplain and shoreline mapping	GPR	B	180,000			180,000
(fq)	Enforcement aids-boating enforcement	SEG	A	300,000			300,000
(ft)	Enforcement aids-snowmobiling enforcement	SEG	A	100,000			100,000
(fy)	Enforcement aids-federal funds	SEG-F	C	0			0
(hb)	Youth camps and work projects-state funds	GPR	A	623,400			663,000
(hm)	Youth camps and work projects-federal funds	PR-F	C	181,200			138,600
(hq)	Youth camps and work projects-state lands	SEG	A	287,500			304,500
(ia)	Aids admin.-general program operations, state funds	GPR	A	180,000			184,400
(ic)	Aids admin.-local park aids	GPR	A	27,300			28,900
(im)	Aids admin.-general program operations, federal funds	PR-F	C	1,004,300			1,087,400
(ir)	Aids administration -- motorcycle recreation	SEG	A	31,900			32,600
(is)	Aids admin.-snowmobile recreation	SEG	A	15,000			27,000
(iu)	Aids admin.-general program operations, state funds	SEG	A	172,800			175,300
(iy)	Aids admin.-general program operations, federal funds	SEG-F	C	1,388,300			1,395,500
(jb)	Debt service--recreational boating bonds	GPR	S	49,500			156,500
(ka)	Pt. source aids--prin.repay. & int.; poll.abate.bonds	GPR	S	22,006,400			39,045,400
(kb)	Pt.source aids--septic tank replace. & rehabilitation	GPR	C	<del>1,800,000</del>			2,500,000
(kc)	Pt.source aids--poll.abatement grants; general fund	GPR	C	2,000,000			0

Vetoed in Part



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STATUTE, AGENCY and PURPOSE		SOURCE	TYPE	1981-82	1982-83
(kd)	Pt. source aids; comb. sewer over flow-prin. repay. & int.				
	(4) PROGRAM	GPR	S	0	868,700
GENERAL PURPOSE REVENUES				31,316,600	49,902,900
PROGRAM REVENUE				1,685,500	1,726,000
FEDERAL				( 1,685,500)	( 1,726,000)
SEGREGATED FUNDS				9,288,600	9,431,100
FEDERAL				( 4,179,700)	( 4,186,900)
OTHER				( 5,108,900)	( 5,244,200)
TOTAL-ALL SOURCES				42,290,700	61,060,000
(7)	OUTDOOR RECREATION				
(aa)	General program operations	GPR	A	17,874,300	20,019,300
	Allocated to other programs	GPR	A	-10,215,900	-11,019,900
	NET APPROPRIATION			7,658,400	8,999,400
	(7) PROGRAM				
GENERAL PURPOSE REVENUES				7,658,400	8,999,400
TOTAL-ALL SOURCES				-7,658,400	8,999,400
(8)	ADMINISTRATIVE SERVICES				
(dq)	Snowmobile registration	SEG	B	151,300	219,400
(dr)	Boat registration	SEG	B	209,700	314,400
(eb)	Recreational planning	GPR	A	39,000	39,700
(iq)	Natural resources magazine	SEG	C	464,700	492,100
(jg)	Environmental impact - consultant services	PR	C	0	0
(la)	Facility repair and maintenance	GPR	B	60,100	68,600
(lb)	Admin. facilities - principal repayment and interest	GPR	S	76,100	316,900
(lc)	Facility repair & maintenance --parks and youth camps	GPR	B	140,200	160,100
(ld)	Admin. facilities--acquisition, development & improvement	GPR	C	16,700	16,700
(lr)	Facility repair and maintenance	SEG	B	208,600	239,400
(ls)	Admin. facilities - principal repayment and interest	SEG	S	166,000	289,600
(lt)	Admin. facilities--acquisition, development & improvement	SEG	C	317,400	317,400
(ma)	General program operations - state funds	GPR	A	5,400,700	5,482,400
(mm)	General program operations - federal funds	PR-F	C	147,800	151,100
(mu)	General program operations- state funds	SEG	A	9,623,200	9,734,500
(my)	General program operations- federal funds	SEG-F	C	2,523,000	2,652,700
	(8) PROGRAM				
GENERAL PURPOSE REVENUES				5,732,800	6,084,400
PROGRAM REVENUE				147,800	151,100
FEDERAL				( 147,800)	( 151,100)
OTHER				( 0)	( 0)
SEGREGATED FUNDS				13,663,900	14,259,500
FEDERAL				( 2,523,000)	( 2,652,700)
OTHER				( 11,140,900)	( 11,606,800)
TOTAL-ALL SOURCES				19,544,500	20,495,000
20.370 DEPARTMENT					
GENERAL PURPOSE REVENUES				63,825,500	84,865,700
PROGRAM REVENUE				8,560,800	8,896,600
FEDERAL				( 8,243,900)	( 8,508,200)
OTHER				( 316,900)	( 388,400)
SEGREGATED FUNDS				76,317,600	76,988,300
FEDERAL				( 12,583,100)	( 12,815,500)
OTHER				( 63,734,500)	( 64,172,800)
TOTAL-ALL SOURCES				148,703,900	170,750,600

20.395 TRANSPORTATION, DEPARTMENT OF

(1)	AIDS				
(aq)	Transportation aids, state funds	SEG	A	87,956,100	124,281,500
(ar)	Transportation aids, hold harmless, state funds	SEG	A	5,343,800	7,858,800
(as)	Connecting highways aids, state funds	SEG	A	4,932,600	7,020,800
(at)	Flood damage aids, state funds	SEG	A	500,000	500,000
(au)	Lift bridge aids, state funds	SEG	A	0	1,555,800
(av)	Transportation aids supplement, state funds	SEG	B	6,600,000	6,600,000
(bq)	Transit operating aids, state funds	SEG	A	21,424,000	37,191,000
(bv)	Transit aids, local funds	SEG	C	0	0
(bx)	Transit aids, federal funds	SEG-F	C	2,100,000	2,100,000

STATUTE, AGENCY and PURPOSE	SOURCE TYPE	1981-82	1982-83
(cq) Elderly and handicapped capital aids, state funds	SEG A	437,000	502,600
(cr) Elderly and handicapped county aids, state funds	SEG A	2,708,000	3,114,200
(cv) Elderly and handicapped aids, local funds	SEG C	209,300	209,300
(cx) Elderly and handicapped aids, federal funds	SEG-F C	400,000	400,000
(ex) Highway safety, local assistance, federal funds	SEG-F C	2,300,000	2,500,000
(ey) Highway safety, state agencies, federal funds	SEG-F C	1,200,000	1,300,000
(fq) Railroad crossing protection aids, state funds	SEG B	1,600,000	1,600,000
(fr) Railroad crossing repair aids, state funds	SEG A	100,000	100,000
(hq) Harbor assistance aids, state funds	SEG C	500,000	500,000
(1) P R O G R A M T O T A L S		138,310,800	197,334,000
SEGREGATED FUNDS			
FEDERAL	(	6,000,000)	( 6,300,000)
OTHER	(	132,310,800)	( 191,034,000)
TOTAL-ALL SOURCES		138,310,800	197,334,000
(2) AIRPORT AND RAILROAD & HARBOR FACILITIES AND SERVICES			
(aq) Railroad service continuation, state funds	SEG A	758,000	910,000
(av) Railroad service continuation, local funds	SEG C	0	0
(ax) Railroad service continuation, federal funds	SEG-F C	377,000	100,000
(bq) <del>Railroad Ferry Assn.</del> RR fac. acq. & RR rehab., st. fds.	SEG C	6,180,000	6,752,000
(bv) Railroad facilities acq. and railroad rehab., local fds.	SEG C	0	0
(bx) Railroad facilities acq. and railroad rehab., fed. funds	SEG-F C	3,433,000	1,805,000
(dq) Local airport development, state funds	SEG C	1,620,000	2,460,000
(dv) Local airport development, local funds	SEG C	2,795,500	2,795,500
(dx) Local airport development, federal funds	SEG-F C	12,596,200	12,596,200
(2) P R O G R A M T O T A L S		27,759,700	27,418,700
SEGREGATED FUNDS			
FEDERAL	(	16,406,200)	( 14,501,200)
OTHER	(	11,353,500)	( 12,917,500)
TOTAL-ALL SOURCES		27,759,700	27,418,700
(3) STATE HIGHWAY FACILITIES			
(aq) State trunk highway allotment to counties	SEG C	8,050,000	8,050,000
(bq) Major highway development, state funds	SEG C	15,353,100	11,343,500
(bv) Major highway development, local funds	SEG C	1,682,400	0
(bx) Major highway development, federal funds	SEG-F C	21,100,000	0
(cq) Existing highway improvement, state funds	SEG C	39,064,200	49,591,200
(cv) Existing highway improvement, local funds	SEG C	664,400	1,054,400
(cx) Existing highway improvement, federal funds	SEG-F C	70,903,000	84,835,100
(dq) Improvement of state bridges, state funds	SEG C	5,834,200	8,532,200
(dv) Improvement of state bridges, local funds	SEG C	100,000	100,000
(dx) Improvement of state bridges, federal funds	SEG-F C	14,124,900	14,831,200
(eq) Highway maintenance and repair, state funds	SEG B	56,574,600	62,980,600
(ev) Highway maintenance and repair, local funds	SEG C	73,500	73,500
(ex) Highway maintenance and repair, federal funds	SEG-F C	0	0
(fq) Highway winter maintenance, state funds	SEG B	24,182,200	27,165,300
(fv) Highway winter maintenance, local funds	SEG C	0	0
(fx) Highway winter maintenance, federal funds	SEG-F C	0	0
(gv) State facility roads, local funds	SEG C	1,519,800	1,519,800

Vetoed  
in Part

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STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
(gx)	State facility roads, federal funds	SEG-F C	0	0
(hq)	Highway traffic operations, state funds	SEG B	11,450,900	12,255,400
(hv)	Highway traffic operations, local funds	SEG C	0	0
(hx)	Highway traffic operations, federal funds	SEG-F C	150,000	150,000
(3) PROGRAM TOTALS				
SEGREGATED FUNDS				
FEDERAL			( 270,827,200 )	( 282,482,200 )
OTHER			( 106,277,900 )	( 99,816,300 )
			( 164,549,300 )	( 182,665,900 )
TOTAL-ALL SOURCES			270,827,200	282,482,200
(4) LOCAL HIGHWAYS AND BRIDGES				
(aq)	Local bridge improvements, state funds	SEG C	8,700,000	11,700,000
(av)	Local highways and bridge improvements, local funds	SEG C	14,854,500	16,243,700
(ax)	Local highways and bridge improvements, federal fds.	SEG-F C	44,173,100	45,103,200
(bq)	Railroad crossing improvement, state funds	SEG B	1,000,000	1,012,500
(bv)	Railroad crossing improvement, local funds	SEG C	0	0
(bx)	Railroad crossing improvement, federal funds	SEG-F C	2,500,000	2,625,000
(cq)	Transportation systems manage- ment program, state funds	SEG C	112,500	112,500
<b>Vetoed in Part</b>	<del>Memorial street bridge reimbursement, state funds</del>	<del>SEG C</del>	<del>877,100</del>	<del>0</del>
(4) PROGRAM TOTALS				
SEGREGATED FUNDS				
FEDERAL			( 72,217,200 )	( 76,796,900 )
OTHER			( 46,673,100 )	( 47,728,200 )
			( 25,544,100 )	( 29,068,700 )
TOTAL-ALL SOURCES			72,217,200	76,796,900
(5) GENERAL TRANSPORTATION OPERATIONS				
(aq)	Departmental management and operations, state funds	SEG A	13,281,500	13,153,500
(av)	Departmental management and operations, local funds	SEG C	90,400	93,000
(ax)	Departmental management and operations, federal funds	SEG-F C	2,802,100	2,911,600
(bq)	Facilities and services management, state funds	SEG A	11,955,800	11,759,300
(bv)	Facilities and services management, local funds	SEG C	0	0
(bx)	Facilities and services management, federal funds	SEG-F C	1,397,200	1,406,000
(cg)	Traffic violation and registration program	PR A	268,000	271,000
(ch)	Registration and licensing, drivers, state funds	PR A	580,500	467,700
(cq)	Vehicle registration & driver licensing, state funds	SEG A	26,546,300	27,568,300
(cx)	Vehicle registration & driver licensing, federal funds	SEG-F C	200,000	200,000
(dq)	Vehicle inspection and traffic enforcement, state funds	SEG A	20,615,900	20,816,500
(dx)	Vehicle inspection and traffic enforcement, federal funds	SEG-F C	213,100	213,100
(eq)	Data processing operations, service funds	SEG-S C	886,400	880,600
(er)	Fleet operations, service funds	SEG-S C	7,419,100	8,092,000
(es)	Other department services, operations	SEG-S C	369,400	379,700
(et)	Service center supplements, state funds	SEG A	0	0
(eu)	Other depart. services; sale of aerial photo. survey prod.	SEG C	0	0
(gq)	Motor-driven cycle, moped and motor bicycle safety prog.	SEG A	147,000	147,000
(hq)	MV emission insp. & maint. prog. contr. costs; state funds	SEG A	0	1,848,300
(hr)	MV emission insp. & maint. prog.; admin.; state funds	SEG A	189,700	811,900
(5) PROGRAM TOTALS				
PROGRAM REVENUE			848,500	738,700
OTHER			( 848,500 )	( 738,700 )
SEGREGATED FUNDS				
FEDERAL			( 86,113,900 )	( 90,280,800 )
OTHER			( 4,612,400 )	( 4,730,700 )
			( 72,826,600 )	( 76,197,800 )

STATUTE, AGENCY and PURPOSE SOURCE TYPE 1981-82		1982-83		
SERVICE	(	8,674,900)	(	9,352,300)
TOTAL-ALL SOURCES		86,962,400		91,019,500
(6) DEBT SERVICES				
(aq) Prin. repay. and interest, transp. facil., state fds.	SEG S	21,241,100		20,777,200
(ar) Prin. repay. and interest, bldgs., state funds	SEG S	739,900		732,800
(6) PROGRAM TOTALS				
SEGREGATED FUNDS		21,981,000		21,510,000
OTHER	(	21,981,000)	(	21,510,000)
TOTAL-ALL SOURCES		21,981,000		21,510,000
(7) TRANSPORTATION COMMISSION				
(aq) Transportation regulation and general program operations	SEG A	1,551,400		1,552,900
(ax) Trans. regulation and general operations, federal funds	SEG-F C	0		0
(7) PROGRAM TOTALS				
SEGREGATED FUNDS		1,551,400		1,552,900
FEDERAL	(	0)	(	0)
OTHER	(	1,551,400)	(	1,552,900)
TOTAL-ALL SOURCES		1,551,400		1,552,900
20.395 DEPARTMENT TOTALS				
PROGRAM REVENUE		848,500		738,700
OTHER	(	848,500)	(	738,700)
SEGREGATED FUNDS		618,761,200		697,375,500
FEDERAL	(	179,969,600)	(	173,076,400)
OTHER	(	430,116,700)	(	514,946,800)
SERVICE	(	8,674,900)	(	9,352,300)
TOTAL-ALL SOURCES		619,609,700		698,114,200

**20.398 WISCONSIN SOLID WASTE RECYCLING AUTHORITY**

(1) SOLID WASTE RECYCLING				
(a) General program operations	GPR C	<del>241,500</del>		<del>460,500</del> Vetoed
20.398 DEPARTMENT TOTALS		<del>241,500</del>		<del>460,500</del> in Part
GENERAL PURPOSE REVENUES		<del>241,500</del>		<del>460,500</del>
TOTAL-ALL SOURCES		<del>241,500</del>		<del>460,500</del>

**ENVIRONMENTAL RESOURCES FUNCTIONAL AREA TOTALS**

GENERAL PURPOSE REVENUES		64,121,800		85,386,200
PROGRAM REVENUE		9,409,300		9,635,300
FEDERAL	(	8,243,900)	(	8,508,200)
OTHER	(	1,165,400)	(	1,127,100)
SERVICE	(	0)	(	0)
BOND REVENUE		0		0
SEGREGATED FUNDS		695,078,800		774,363,800
FEDERAL	(	192,552,700)	(	185,891,900)
OTHER	(	493,851,200)	(	579,119,600)
SERVICE	(	8,674,900)	(	9,352,300)
TOTAL-ALL SOURCES		768,609,900		869,385,300

**HUMAN RELATIONS AND RESOURCES**

**20.425 EMPLOYMENT RELATIONS COMMISSION**

(1) PROMOTION OF PEACE IN LABOR RELATIONS				
(a) General program operations	GPR A	1,512,800		1,486,700
(g) Publications	PR A	13,300		13,300
20.425 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES		1,512,800		1,486,700
PROGRAM REVENUE		13,300		13,300
OTHER	(	13,300)	(	13,300)
TOTAL-ALL SOURCES		1,526,100		1,500,000

**20.432 BOARD ON AGING AND LONG-TERM CARE**

(1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED				
(a) General program operations	GPR A	161,000		163,300
(i) Gifts and grants	PR C	0		0
(k) Contracts with state agencies	PR-S A	0		0
(m) Federal aid	PR-F C	33,600		33,600
20.432 DEPARTMENT TOTALS				
GENERAL PURPOSE REVENUES		161,000		163,300
PROGRAM REVENUE		33,600		33,600
FEDERAL	(	33,600)	(	33,600)
OTHER	(	0)	(	0)
SERVICE	(	0)	(	0)
TOTAL-ALL SOURCES		194,600		196,900

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STATUTE, AGENCY and PURPOSE SOURCE TYPE 1981-82 1982-83

**20.435 HEALTH AND SOCIAL SERVICES,  
DEPARTMENT OF**

(1) HEALTH SERVICES PLANNING, REGULATION AND DELIVERY				
(a)	General program operations	GPR	A	12,545,400 12,494,900
(b)	Medical assistance program benefits	GPR	A	391,986,700 445,589,800
(bm)	Medical assistance administration	GPR	A	5,144,500 5,805,200
(d)	Nursing home appeals mechanism	GPR	B	996,500 996,500
(dm)	Nursing home receivership supplement	GPR	S	92,000 92,000
(e)	Disease aids	GPR	B	1,630,000 1,630,000
(f)	Family planning	GPR	A	1,000,000 1,000,000
(gm)	Licensing activities	PR	A	1,654,000 1,770,200
(h)	Radiation monitoring	PR	A	30,000 30,000
(i)	Gifts and grants	PR	C	9,500 9,500
(j)	Fees for services and supplies	PR	A	793,400 849,100
(k)	Nursing home receivership operations	PR-S	C	0 0
(km)	Internal services	PR-S	A	1,370,800 1,481,300
(m)	Federal aid; projects	PR-F	C	9,388,600 9,567,600
(n)	Federal aid; programs	PR-F	C	12,340,200 12,716,700
(o)	Federal aid, medical assistance	PR-F	C	541,833,100 616,259,200
(p)	Fed.aid;medical assistance contracts administration	PR-F	C	15,076,900 16,585,100
(r)	Agent orange victims	SEG	A	66,400 0
(1) P R O G R A M T O T A L S				
GENERAL PURPOSE REVENUES				413,395,100 467,608,400
PROGRAM REVENUE				582,496,500 659,268,700
FEDERAL		(		578,638,800) ( 655,128,600)
OTHER		(		2,486,900) ( 2,658,800)
SERVICE		(		1,370,800) ( 1,481,300)
SEGREGATED FUNDS				66,400 0
OTHER		(		66,400) ( 0)
TOTAL-ALL SOURCES				995,958,000 1,126,877,100
(2) COMMUNITY SERVICES				
(a)	General program operations	GPR	A	31,757,300 36,948,000
(aa)	Institutional repair and maintenance	GPR	A	427,100 331,800
(b)	Community social and mental hygiene services	GPR	A	<del>279,263,800</del> 245,710,500
	Applied receipts	GPR	A	<del>66,110,800</del> 68,933,100
NET APPROPRIATION				
(bd)	Displaced homemakers' center and services	GPR	A	<del>375,000</del> 375,000
(c)	Aids for shelter care	GPR	A	210,000 0
(cb)	Domestic abuse grants	GPR	A	1,379,400 1,423,100
(cc)	Employment grants for developmentally disabled	GPR	B	120,000 120,000
(cd)	Community youth and family aids	GPR	A	26,175,500 26,696,600
	Applied receipts	GPR	A	-17,654,300 -9,891,500
NET APPROPRIATION				
(d)	Reimbursements to local units of government	GPR	S	255,500 235,000
(dd)	Foster care	GPR	A	1,765,800 1,956,600
(de)	Foster parent liability insurance	GPR	A	48,000 54,000
(df)	Programs for senior citizens	GPR	A	4,810,500 5,714,200
(dl)	Indian aids	GPR	A	65,000 135,000
(dm)	Community-based residential fac. receivership suppl.	GPR	S	0 0
(e)	Aids for interest on county construction loans	GPR	A	369,600 313,100
(ee)	Principal repayment and interest	GPR	S	2,790,900 3,182,900
(ef)	Lease rental payments	GPR	S	1,335,600 1,335,600
(f)	Utilities and heating	GPR	A	1,279,400 1,403,300
(g)	Community-based residential facility receivership opns	PR	C	0 0
(gg)	Collection remittances to local units of government	PR	C	146,900 77,800
(gk)	Institutional operations and charges	PR	A	91,048,200 99,727,600
(hh)	Domestic abuse assessment	PR	A	0 0
(hm)	Community youth and family aids	PR	C	15,805,100 8,042,300

Vetoed  
in Part

Vetoed  
in Part

STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
(hx)	Services for drivers, receipts	PR A	0	0
(hy)	Services for drivers, local assistance	PR A	0	2,390,000
(hz)	Services for drivers, state operations	PR A	56,200	112,400
(i)	Gifts and grants	PR C	113,800	119,800
(jm)	Licensing fees, inspection fees and computer run charges	PR A	34,600	34,600
(k)	Professional training	PR-S A	0	0
(km)	Services for children outside departmental custody	PR-S A	0	0
(m)	Federal aid projects	PR-F C	12,174,100	10,606,200
(n)	Federal aid programs	PR-F C	29,953,400	30,431,900
(o)	Federal aid; social and mental hygiene services	PR-F C	66,710,800	68,935,100
(oo)	Federal aid; community youth and family aids	PR-F C	1,849,200	1,849,200
(p)	Federal aid; foster care	PR-F C	521,800	589,300
(2) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			222,062,500	247,108,200
PROGRAM REVENUE			218,414,100	222,916,200
	FEDERAL	(	111,209,300)	( 112,411,700)
	OTHER	(	107,204,800)	( 110,504,500)
	SERVICE	(	0)	( 0)
TOTAL-ALL SOURCES			440,476,600	470,024,400
(3)	CORRECTIONAL SERVICES			
(a)	General program operations	GPR A	88,564,000	85,188,000
(aa)	Institutional repair and maintenance	GPR A	1,007,900	980,500
(ab)	Interstate corrections compact	GPR A	3,963,900	5,348,700
(am)	Juvenile correctional services	GPR A	0	1,292,500
(b)	Foster care	GPR A	2,690,100	1,461,000
(c)	Reimburse. claims of counties containing state inst.	GPR S	77,800	77,800
(d)	Purchased services for offenders	GPR A	1,317,200	1,352,600
(dd)	Special living arrangements	GPR A	1,496,500	1,566,400
(e)	Principal repayment and interest	GPR S	2,912,500	3,882,700
(ef)	Lease rental payments	GPR S	923,800	923,800
(f)	Utilities and heating	GPR A	4,593,300	5,497,600
(g)	Probationer and parolee loan fund	PR A	15,000	15,000
(h)	Administration of restitution	PR A	136,100	147,200
(hm)	Juvenile correctional services	PR A	0	4,923,700
(ho)	Foster care	PR A	0	1,461,000
(i)	Gifts and grants	PR C	16,500	16,500
(jp)	Correctional officer training	PR A	391,700	522,300
(kk)	Institutional operations and charges	PR-S A	7,584,000	7,870,600
(m)	Federal aid projects	PR-F C	1,511,100	1,329,900
(n)	Federal aid programs	PR-F C	499,200	502,900
(o)	Federal aid; foster care	PR-F C	730,400	794,900
(3) P R O G R A M			T O T A L S	
GENERAL PURPOSE REVENUES			107,547,000	107,571,600
PROGRAM REVENUE			10,884,000	17,584,000
	FEDERAL	(	2,740,700)	( 2,627,700)
	OTHER	(	559,300)	( 7,085,700)
	SERVICE	(	7,584,000)	( 7,870,600)
TOTAL-ALL SOURCES			118,431,000	125,155,600
(4)	ECONOMIC ASSISTANCE			
(a)	General program operations	GPR A	4,210,500	4,200,600
(d)	Income maintenance payments	GPR S	153,408,700	168,978,300
(dc)	Emergency assistance program	GPR A	100,000	100,000
(de)	Income maintenance administration	GPR A	14,598,200	15,474,000
(df)	Weatherization supplemental funds--aids to localities	GPR B	100,000	100,000
(dg)	Weatherization supplemental fd.--aids to organizations	GPR B	1,150,000	1,150,000
(e)	Other public assistance aids	GPR S	6,114,600	5,876,500
(ed)	State supplement to federal SSI program	GPR A	29,778,500	30,078,500
(g)	Child support collections	PR C	34,423,500	39,346,200
(i)	Gifts and grants	PR C	1,500	1,500
(m)	Federal aid projects	PR-F C	150,500	150,500
(n)	Federal aid programs	PR-F C	5,083,700	5,371,800
(p)	Fed.aid; income maint. payments and county administration	PR-F C	321,957,700	353,763,900
(v)	Integrated day community weatherization fund	SEC C	0	0

Vetoed in Part

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STATUTE, AGENCY and PURPOSE		SOURCE TYPE		1981-82	1982-83
				(4) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				209,460,500	225,957,900
PROGRAM REVENUE				361,616,900	398,633,900
FEDERAL				( 327,191,900)	( 359,286,200)
OTHER				( 34,425,000)	( 39,347,700)
SEGREGATED FUNDS				0	0
TOTAL-ALL SOURCES				571,077,400	624,591,800
(5) VOCATIONAL REHABILITATION SERVICES					
(a)	General program operations	GPR	A	3,336,400	3,294,400
(aa)	Institutional repair and maintenance	GPR	A	11,500	11,500
(bm)	Purchased services for clients	GPR	A	4,720,200	4,718,500
(f)	Utilities and heating	GPR	A	38,200	44,700
(i)	Gifts and grants	PR	C	52,000	52,000
(jj)	Workshop for the blind	PR	A	711,000	774,000
(m)	Federal aid projects	PR-F	C	815,400	921,200
(n)	Federal aid programs	PR-F	C	21,131,600	22,500,400
				(5) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				8,106,300	8,069,100
PROGRAM REVENUE				22,710,000	24,247,600
FEDERAL				( 21,947,000)	( 23,421,600)
OTHER				( 763,000)	( 826,000)
TOTAL-ALL SOURCES				30,816,300	32,316,700
(8) GENERAL ADMINISTRATION					
(a)	General program operations	GPR	A	11,859,300	11,976,700
(f)	Utilities and heating	GPR	A	5,600	6,300
(i)	Gifts and grants	PR	C	0	0
(k)	Administrative and support services	PR-S	A	8,281,800	8,735,700
(m)	Federal aid projects	PR-F	C	831,800	820,000
(n)	Federal aid programs	PR-F	C	1,139,500	1,222,300
				(8) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				11,864,900	11,983,000
PROGRAM REVENUE				10,253,100	10,778,000
FEDERAL				( 1,971,300)	( 2,042,300)
OTHER				( 0)	( 0)
SERVICE				( 8,281,800)	( 8,735,700)
TOTAL-ALL SOURCES				22,118,000	22,761,000
20.435 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				972,436,300	1,068,298,200
PROGRAM REVENUE				1,206,374,600	1,333,428,400
FEDERAL				( 1,043,699,000)	( 1,154,918,100)
OTHER				( 145,439,000)	( 160,422,700)
SERVICE				( 17,236,600)	( 18,087,600)
SEGREGATED FUNDS				66,400	0
OTHER				( 66,400)	( 0)
TOTAL-ALL SOURCES				2,178,877,300	2,401,726,600

**20.440 HEALTH FACILITIES AUTHORITY**

(1) CONSTRUCTION OF HEALTH FACILITIES					
(a)	General program operations	GPR	C	0	0
20.440 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES				0	0
TOTAL-ALL SOURCES				0	0

**20.445 INDUSTRY, LABOR AND HUMAN RELATIONS, DEPARTMENT OF**

(1) INDUSTRY, LABOR AND HUMAN RELATIONS					
(a)	General program operations	GPR	A	3,488,900	3,528,500
(aa)	Benefits-law enf,corr.off,fire fighters & rescue sq.mbrs.	GPR	S	0	0
(c)	Work incentive program administration	GPR	A	599,200	599,200
(cm)	Aids for private sewage system programs	GPR	A	320,000	400,000
(d)	Work incentive program, aids	GPR	A	388,000	388,000
(e)	Renewable energy resource system incentive	GPR	S	1,270,000	1,240,000
(f)	Death & disability benefit pay; public insurrections	GPR	S	0	0
(g)	Gifts and grants	PR	C	18,000	18,000
(h)	Local energy resource system fees	PR	A	0	0
(ha)	Worker's compensation operations	PR	A	2,432,400	2,484,000
(i)	Plumbing regulation	PR	A	1,437,300	1,462,900
(ia)	Electrical construction inspection fees	PR	A	0	0
(j)	Safety and building operations	PR	A	4,971,300	5,026,400
(l)	Fire dues distribution	PR	C	4,700,000	5,100,000

STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
(la)	Fire dues administration	PR A	17,600	13,500
(m)	Federal funds	PR-F C	3,544,900	3,532,400
(s)	Self-insured employers liability fund	SEG C	0	0
(t)	Work injury supplemental benefit fund	SEG C	1,823,000	1,823,000
(v)	Unemployment administration fund; state moneys	SEG C	0	0
(x)	Employment security building projects	SEG-F C	0	0
(y)	Employment security -- work incentive	SEG-F C	4,062,000	4,062,000
(ya)	Unemployment admin. fund; work incentive program	SEG-F C	6,713,300	6,713,300
(z)	Unemployment administration fund; federal moneys	SEG-F C	44,583,000	44,623,300
(1) PROGRAM TOTALS			6,066,100	6,155,700
GENERAL PURPOSE REVENUES			17,121,500	17,637,200
PROGRAM REVENUE			( 3,544,900) (	( 3,532,400)
FEDERAL			( 13,576,600) (	( 14,104,800)
OTHER			57,181,300	57,221,600
SEGREGATED FUNDS			( 55,358,300) (	( 55,398,600)
FEDERAL			( 1,823,000) (	( 1,823,000)
OTHER			80,368,900	81,014,500
TOTAL-ALL SOURCES				
(2)	REVIEW COMMISSION			
(a)	General program operations, review commission	GPR A	56,800	56,800
(ha)	Worker's compensation operations	PR A	114,600	114,600
(m)	Federal funds	PR-F C	38,100	38,100
(z)	Unemployment admin.; federal moneys for review comm.	SEG-F C	800,300	800,400
(2) PROGRAM TOTALS			56,800	56,800
GENERAL PURPOSE REVENUES			152,700	152,700
PROGRAM REVENUE			( 38,100) (	( 38,100)
FEDERAL			( 114,600) (	( 114,600)
OTHER			800,300	800,400
SEGREGATED FUNDS			( 800,300) (	( 800,400)
FEDERAL			1,009,800	1,009,900
OTHER				
TOTAL-ALL SOURCES				
(3)	EMPLOYMENT AND TRAINING SERVICES			
(m)	Federal grants and contracts	PR-F C	10,379,100	10,031,400
(mn)	Federal aids	PR-F C	38,401,700	38,401,700
(3) PROGRAM TOTALS			48,780,800	48,433,100
PROGRAM REVENUE			( 48,780,800) (	( 48,433,100)
FEDERAL			48,780,800	48,433,100
OTHER				
TOTAL-ALL SOURCES				
(4)	ADJUDICATION OF CLAIMS			
(a)	Administration of mining damage claims	GPR A	0	0
(b)	Funding for mining damage claims	GPR S	0	0
(4) PROGRAM TOTALS			0	0
GENERAL PURPOSE REVENUES			0	0
TOTAL-ALL SOURCES			0	0
(5)	GOVERNOR'S EMPLOYMENT AND TRAINING OFFICE			
(a)	Grants	GPR B	1,200,000	1,800,000
(m)	Federal aid	PR-F C	2,857,200	2,758,300
(mn)	Federal aid--comprehensive employ. and training act	PR-F C	2,000,000	2,000,000
(5) PROGRAM TOTALS			1,200,000	1,800,000
GENERAL PURPOSE REVENUES			4,857,200	4,758,300
PROGRAM REVENUE			( 4,857,200) (	( 4,758,300)
FEDERAL			6,057,200	6,558,300
OTHER				
TOTAL-ALL SOURCES				
20.445 DEPARTMENT TOTALS			7,322,900	8,012,500
GENERAL PURPOSE REVENUES			70,912,200	70,981,300
PROGRAM REVENUE			( 57,221,000) (	( 56,761,900)
FEDERAL			( 13,691,200) (	( 14,219,400)
OTHER			57,981,600	58,022,000
SEGREGATED FUNDS			( 56,158,600) (	( 56,199,000)
FEDERAL			( 1,823,000) (	( 1,823,000)
OTHER			136,216,700	137,015,800
TOTAL-ALL SOURCES				
<b>20.455 JUSTICE, DEPARTMENT OF</b>				
(1)	LEGAL SERVICES			
(a)	General program operations	GPR A	5,370,100	5,418,600
(d)	Legal expenses	GPR B	460,000	460,000
(m)	Federal aid	PR-F C	791,700	791,700



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STATUTE, AGENCY and PURPOSE		SOURCE TYPE		1981-82	1982-83
				(1) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				5,830,100	5,878,600
PROGRAM REVENUE				791,700	791,700
FEDERAL				( 791,700 )	( 791,700 )
TOTAL-ALL SOURCES				6,621,800	6,670,300
(2)	LAW ENFORCEMENT SERVICES				
(a)	General program operations	GPR	A	6,152,600	6,342,900
(c)	Crime laboratory equipment	GPR	B	69,000	69,000
(d)	Aid to counties for law enforcement	GPR	A	17,500	17,500
(h)	Terminal charges	PR	A	790,000	790,000
(i)	Law enforcement training fund, receipts	PR	A	0	0
(j)	Law enforcement training fund, local assistance	PR	A	1,887,500	1,939,500
(ja)	Law enforcement training fund, state operations	PR	A	1,108,000	1,107,100
(m)	Federal aid, state operations	PR-F	C	0	0
(n)	Federal aid, local assistance	PR-F	C	0	0
				(2) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				6,239,100	6,429,400
PROGRAM REVENUE				3,785,500	3,836,600
FEDERAL				( 0 )	( 0 )
OTHER				( 3,785,500 )	( 3,836,600 )
TOTAL-ALL SOURCES				10,024,600	10,266,000
(3)	ADMINISTRATIVE SERVICES				
(a)	General program operations	GPR	A	664,900	664,400
(m)	Federal aid	PR-F	C	40,000	40,000
				(3) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				664,900	664,400
PROGRAM REVENUE				40,000	40,000
FEDERAL				( 40,000 )	( 40,000 )
TOTAL-ALL SOURCES				704,900	704,400
(4)	TRUST LANDS AND INVESTMENT DIVISION				
(h)	General program operations	PR	A	190,500	189,300
(m)	Federal aid - flood control	PR-F	C	10,000	10,000
				(4) PROGRAM TOTALS	
PROGRAM REVENUE				200,500	199,300
FEDERAL				( 10,000 )	( 10,000 )
OTHER				( 190,500 )	( 189,300 )
TOTAL-ALL SOURCES				200,500	199,300
(5)	VICTIMS AND WITNESSES				
(a)	General program operations	GPR	A	205,000	207,200
(b)	Awards for victims of crime	GPR	S	1,583,000	1,800,000
(c)	Reimbursement for victim and witness services	GPR	A	572,000	732,000
				(5) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				2,360,000	2,739,200
TOTAL-ALL SOURCES				2,360,000	2,739,200
20.455 DEPARTMENT TOTALS				15,094,100	15,711,600
GENERAL PURPOSE REVENUES				4,817,700	4,867,600
PROGRAM REVENUE				( 841,700 )	( 841,700 )
FEDERAL				( 3,976,000 )	( 4,025,900 )
OTHER					
TOTAL-ALL SOURCES				19,911,800	20,579,200
<b>20.465 MILITARY AFFAIRS, DEPARTMENT OF</b>					
(1)	NATIONAL GUARD OPERATIONS				
(a)	General program operations	GPR	A	2,218,200	2,212,700
(b)	Repair and maintenance	GPR	B	218,800	205,600
(c)	Public emergencies	GPR	S	99,800	99,800
(d)	Principal repayment and interest	GPR	S	87,200	164,200
(e)	State service flags	GPR	A	200	200
(f)	Fuel and utilities	GPR	A	1,203,400	1,433,100
(g)	Military property	PR	A	3,500	3,600
(m)	Federal aid	PR-F	C	2,387,700	2,387,700
				(1) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				3,827,600	4,115,600
PROGRAM REVENUE				2,391,200	2,391,300
FEDERAL				( 2,387,700 )	( 2,387,700 )
OTHER				( 3,500 )	( 3,600 )
TOTAL-ALL SOURCES				6,218,800	6,506,900
(2)	GUARD MEMBERS' BENEFITS				
(a)	Tuition grants	GPR	B	194,200	244,300
				(2) PROGRAM TOTALS	
GENERAL PURPOSE REVENUES				194,200	244,300
TOTAL-ALL SOURCES				194,200	244,300
20.465 DEPARTMENT TOTALS				4,021,800	4,359,900
GENERAL PURPOSE REVENUES				2,391,200	2,391,300
PROGRAM REVENUE					

STATUTE, AGENCY and PURPOSE	SOURCE TYPE	1981-82	1982-83
	FEDERAL	( 2,387,700 )	( 2,387,700 )
	OTHER	( 3,500 )	( 3,600 )
TOTAL-ALL SOURCES		6,413,000	6,751,200

**20.485 VETERANS AFFAIRS,  
DEPARTMENT OF**

(1) HOME FOR VETERANS			
(b) General fund supplement to institutional operations	GPR B	0	715,500
(c) Fuel and utilities	GPR A	661,300	769,600
(d) Cemetery maintenance and beautification	GPR A	2,800	2,800
(e) Lease rental payments	GPR S	22,200	22,200
(f) Principal repayment and interest	GPR S	209,500	322,100
(g) Home exchange	PR A	98,200	99,100
(gk) Institutional operations	PR A	10,882,800	10,933,900
(h) Gifts and bequests	PR C	115,700	115,700
(i) Prepaid care	PR A	0	0
(m) Federal aid, care at veterans home	PR-F C	3,000	3,000
(mn) Federal projects	PR-F C	0	0
(u) Rentals; improvements; equipment; land acquisition	SEG A	0	0

(1) P R O G R A M		T O T A L S	
GENERAL PURPOSE REVENUES		895,800	1,832,200
PROGRAM REVENUE		11,099,700	11,151,700
FEDERAL		( 3,000 )	( 3,000 )
OTHER		( 11,096,700 )	( 11,148,700 )
SEGREGATED FUNDS		0	0
TOTAL-ALL SOURCES		11,995,500	12,983,900

(2) LOANS AND AIDS TO VETERANS			
(a) National guard tuition grants administration	GPR B	1,800	1,800
(b) Interest loss	GPR S	0	0
(d) General fund loan to veterans trust fund	GPR C	0	0
(db) General fund supplement to veterans trust fund	GPR B	0	0
(m) Federal aid projects	PR-F C	0	0
(q) Vietnam veteran educational grants	SEG A	461,000	362,800
(u) Administration of loans and aids to veterans	SEG A	1,758,600	1,765,500
(ub) Veterans memorial council	SEG A	300	300
(vm) Veterans aids and treatment	SEG A	1,511,400	1,545,400
(vn) Grants to veterans organizations	SEG A	228,100	229,200
(vw) Payments to veterans organizations for claims service	SEG A	41,000	41,000
(vx) County grants	SEG A	168,000	168,000
(w) Home for needy veterans	SEG C	5,000	5,000
(wd) Operation of memorial hall	SEG A	58,200	48,500
(x) Veterans loans; state investment board	SEG C	0	0
(y) Veterans loans and expense	SEG A	153,000	153,000
(z) Gifts	SEG C	0	0

(2) P R O G R A M		T O T A L S	
GENERAL PURPOSE REVENUES		1,800	1,800
PROGRAM REVENUE		0	0
SEGREGATED FUNDS		4,384,600	4,318,700
OTHER		( 4,384,600 )	( 4,318,700 )
TOTAL-ALL SOURCES		4,386,400	4,320,500

(3) SELF-AMORTIZING MORTGAGE LOANS FOR VETERANS			
(b) Self-insurance	GPR S	0	0
(e) General program deficiency	GPR S	0	0
(q) General program reimbursement	SEG S	0	0
(r) Loan operations	SEG A	50,000	50,000
(s) General program operations	SEG B	1,088,200	1,089,600
(t) Principal repayment and interest	SEG S	101,661,300	110,338,200
(u) Funding additional loans and purchasing assumed mortg.	SEG A	0	0
(v) Revenue-obligation repayment	SEG C	0	0
(w) Revenue-obligation funding	BR C	0	0

(3) P R O G R A M		T O T A L S	
GENERAL PURPOSE REVENUES		0	0
BOND REVENUE		0	0
SEGREGATED FUNDS		102,799,500	111,477,800
OTHER		( 102,799,500 )	( 111,477,800 )
TOTAL-ALL SOURCES		102,799,500	111,477,800

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STATUTE, AGENCY and PURPOSE	SOURCE TYPE	1981-82	1982-83
20.485 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		897,600	1,834,000
PROGRAM REVENUE		11,099,700	11,151,700
FEDERAL	(	3,000)	( 3,000)
OTHER	(	11,096,700)	( 11,148,700)
BOND REVENUE		0	0
SEGREGATED FUNDS		107,184,100	115,796,500
OTHER	(	107,184,100)	( 115,796,500)
TOTAL-ALL SOURCES		119,181,400	128,782,200

**20.490 WISCONSIN HOUSING FINANCE AUTHORITY**

(1) FACILITATION OF CONSTRUCTION OF HOUSING			
(a) Capital reserve fund deficiency	GPR C		0
(1) PROGRAM TOTALS		0	0
GENERAL PURPOSE REVENUES		0	0
TOTAL-ALL SOURCES		0	0
(2) HOUSING REHABILITATION LOAN PROGRAM			
(a) General program operations	GPR C		0
(q) Loan loss reserve fund	SEG C		0
(2) PROGRAM TOTALS		0	0
GENERAL PURPOSE REVENUES		0	0
SEGREGATED FUNDS		0	0
TOTAL-ALL SOURCES		0	0

20.490 DEPARTMENT TOTALS			
GENERAL PURPOSE REVENUES		0	0
SEGREGATED FUNDS		0	0
OTHER	(	0)	( 0)
TOTAL-ALL SOURCES		0	0

HUMAN RELATIONS AND RESOURCES  
FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES		1,001,446,500	1,099,866,200
PROGRAM REVENUE		1,295,642,300	1,422,867,200
FEDERAL	(	1,104,186,000)	( 1,214,946,000)
OTHER	(	174,219,700)	( 189,833,600)
SERVICE	(	17,236,600)	( 18,087,600)
BOND REVENUE		0	0
SEGREGATED FUNDS		165,232,100	173,818,500
FEDERAL	(	56,158,600)	( 56,199,000)
OTHER	(	109,073,500)	( 117,619,500)
SERVICE	(	0)	( 0)
TOTAL-ALL SOURCES		2,462,320,900	2,696,551,900

**GENERAL EXECUTIVE FUNCTIONS**

**20.505 ADMINISTRATION, DEPARTMENT OF**

(1) ADMINISTRATIVE SUPERVISION AND MANAGEMENT SERVICES			
(a) General program operations	GPR A	12,002,300	11,501,600
(d) Energy development and demonstration fund	GPR A	225,000	225,000
(e) Anemometer purchase and installation	GPR C	25,900	0
(h) Anemometer loan program	PR A	0	0
(i) Services to nonstate governmental units	PR A	1,799,000	2,092,500
(j) Gifts and donations	PR C	0	0
(ka) Materials and services to state agencies	PR-S A	3,549,100	3,452,600
(kb) Fleet management	PR-S A	4,216,300	5,028,500
(kc) Electronic data processing and related services	PR-S A	1,120,400	1,027,500
(kd) Printing services	PR-S A	4,428,100	4,650,000
(ke) State telephone system	PR-S A	6,296,900	6,298,000
(kf) Facility operations and maintenance	PR-S A	13,333,800	14,231,200
(kg) Records storage and microfilm service	PR-S A	848,900	838,400
(ma) Federal grants and contracts	PR-F C	413,200	375,000
(mb) Federal energy grants and contracts	PR-F C	1,523,300	1,478,500
(mc) Coastal zone management	PR-F C	1,633,300	1,633,300
(n) Federal aid; local assistance	PR-F C	0	0
(1) PROGRAM TOTALS			
GENERAL PURPOSE REVENUES		12,253,200	11,726,600
PROGRAM REVENUE		39,162,300	41,105,500
FEDERAL	(	3,569,800)	( 3,486,800)
OTHER	(	1,799,000)	( 2,092,500)
SERVICE	(	33,793,500)	( 35,526,200)
TOTAL-ALL SOURCES		51,415,500	52,832,100

STATUTE, AGENCY and PURPOSE		SOURCE TYPE		1981-82	1982-83
<b>(2) EMERGENCY GOVERNMENT SERVICES</b>					
(a)	General program operations	GPR	A	436,600	440,100
(c)	Disaster recovery aids	GPR	B	5,500	5,500
(d)	Disaster recovery aids -- local assistance	GPR	A	400,000	0
(g)	Program services	PR	A	15,000	15,000
(m)	Federal aid, state operations	PR-F	C	914,200	975,700
(n)	Federal aid, local assistance	PR-F	C	4,782,000	4,782,000
(o)	Federal aid, individuals and organizations	PR-F	C	20,000	20,000
				(2) P R O G R A M	T O T A L S
GENERAL PURPOSE REVENUES				842,100	445,600
PROGRAM REVENUE				5,731,200	5,792,700
FEDERAL				( 5,716,200)	( 5,777,700)
OTHER				( 15,000)	( 15,000)
TOTAL-ALL SOURCES				6,573,300	6,238,300
<b>(3) SPECIAL AND EXECUTIVE COMMITTEES AND BOARDS</b>					
(a)	General program operations	GPR	A	85,200	85,200
(e)	Emergency services number development	GPR	B	0	0
(f)	Emergency number systems board	GPR	A	6,500	6,500
(g)	Gifts and grants	PR	C	0	0
(h)	Program fees	PR	A	0	0
(m)	Federal aid	PR-F	C	0	0
				(3) P R O G R A M	T O T A L S
GENERAL PURPOSE REVENUES				91,700	91,700
PROGRAM REVENUE				0	0
TOTAL-ALL SOURCES				91,700	91,700
<b>(4) QUASI-JUDICIAL BOARDS AND COMMISSIONS</b>					
(a)	Adjudication of tax appeals	GPR	A	362,200	362,200
(b)	Adjudication of equalization appeals	GPR	S	0	0
(c)	Claims board; general program operations	GPR	A	14,000	14,000
(d)	Claims awards	GPR	S	93,800	18,800
(f)	Natural resources hearings operations	GPR	A	186,500	186,500
(k)	Nursing home appeals operations	PR-S	A	126,200	126,200
				(4) P R O G R A M	T O T A L S
GENERAL PURPOSE REVENUES				656,500	581,500
PROGRAM REVENUE				126,200	126,200
SERVICE				( 126,200)	( 126,200)
TOTAL-ALL SOURCES				782,700	707,700
<b>2 0 5 0 D E P A R T M E N T T O T A L S</b>					
GENERAL PURPOSE REVENUES				13,843,500	12,845,400
PROGRAM REVENUE				45,019,700	47,024,400
FEDERAL				( 9,286,000)	( 9,264,500)
OTHER				( 1,814,000)	( 2,107,500)
SERVICE				( 33,919,700)	( 35,652,400)
TOTAL-ALL SOURCES				58,863,200	59,869,800

**20.510 ELECTIONS BOARD**

<b>(1) ADMINISTRATION OF ELECTION AND CAMPAIGN FINANCE LAWS</b>					
(a)	General program operations	GPR	B	296,700	296,700
(g)	Recount fees	PR	C	0	0
(q)	Wisconsin election campaign fund	SEG	C	0	1,700,000
				2 0 5 1 0 D E P A R T M E N T	T O T A L S
GENERAL PURPOSE REVENUES				296,700	296,700
PROGRAM REVENUE				0	0
OTHER				( 0)	( 0)
SEGREGATED FUNDS				0	1,700,000
OTHER				( 0)	( 1,700,000)
TOTAL-ALL SOURCES				296,700	1,996,700

**20.512 EMPLOYMENT RELATIONS,  
DEPARTMENT OF**

<b>(1) EMPLOYMENT RELATIONS</b>					
(a)	General program operations	GPR	A	3,075,400	3,103,500
(j)	Gifts and donations	PR	C	0	0
(k)	Program revenue -- service	PR-S	A	418,700	418,700
(m)	Federal grants and contracts	PR-F	C	318,800	318,800
(n)	Intergovernmental personnel act-local units	PR-F	C	200,000	200,000
				(1) P R O G R A M	T O T A L S
GENERAL PURPOSE REVENUES				3,075,400	3,103,500
PROGRAM REVENUE				937,500	937,500
FEDERAL				( 518,800)	( 518,800)
OTHER				( 0)	( 0)

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STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
SERVICE		(	418,700)	( 418,700)
TOTAL-ALL SOURCES			4,012,900	4,041,000
(2)	AFFIRMATIVE ACTION COUNCIL			
(a)	General program operations	GPR A	10,100	10,100
(j)	Gifts and donations	PR C	0	0
(m)	Federal grants and contracts	PR-F C	0	0
		(2) P R O G R A M	T O T A L S	
GENERAL PURPOSE REVENUES			10,100	10,100
PROGRAM REVENUE			0	0
TOTAL-ALL SOURCES			10,100	10,100
2 0 . 5 1 2 D E P A R T M E N T			T O T A L S	
GENERAL PURPOSE REVENUES			3,085,500	3,113,600
PROGRAM REVENUE			937,500	937,500
FEDERAL		(	518,800)	( 518,800)
OTHER		(	0)	( 0)
SERVICE		(	418,700)	( 418,700)
TOTAL-ALL SOURCES			4,023,000	4,051,100

**20.515 EMPLOYE TRUST FUNDS, DEPARTMENT OF**

(1)	EMPLOYE BENEFIT PLANS			
(a)	Annuity supplementations	GPR S	8,252,000	7,795,200
(c)	Contingencies	GPR S	0	0
(w)	Administration	SEG C	5,602,500	5,736,100
		(1) P R O G R A M	T O T A L S	
GENERAL PURPOSE REVENUES			8,252,000	7,795,200
SEGREGATED FUNDS			5,602,500	5,736,100
OTHER		(	5,602,500)	( 5,736,100)
TOTAL-ALL SOURCES			13,854,500	13,531,300
(2)	RETIREMENT BENEFIT OFFSET			
(a)	Administration	GPR A	2,800	2,800
		(2) P R O G R A M	T O T A L S	
GENERAL PURPOSE REVENUES			2,800	2,800
TOTAL-ALL SOURCES			2,800	2,800
2 0 . 5 1 5 D E P A R T M E N T			T O T A L S	
GENERAL PURPOSE REVENUES			8,254,800	7,798,000
SEGREGATED FUNDS			5,602,500	5,736,100
OTHER		(	5,602,500)	( 5,736,100)
TOTAL-ALL SOURCES			13,857,300	13,534,100

**20.521 ETHICS BOARD**

(1)	CODE OF ETHICS			
(a)	General program operations	GPR A	109,600	109,600
(g)	Gifts and grants	PR C	0	0
		2 0 . 5 2 1 D E P A R T M E N T	T O T A L S	
GENERAL PURPOSE REVENUES			109,600	109,600
PROGRAM REVENUE			0	0
OTHER		(	0)	( 0)
TOTAL-ALL SOURCES			109,600	109,600

**20.525 OFFICE OF THE GOVERNOR**

(1)	EXECUTIVE ADMINISTRATION			
(a)	General program operations	GPR S	1,020,700	1,026,100
(b)	Contingent fund	GPR S	9,200	9,200
(c)	Membership in national associations	GPR S	46,600	46,600
(d)	Disability board	GPR S	0	0
(e)	Spauldy Council	GRA A	0	0
(m)	Federal aid	PR-F C	0	0
		(1) P R O G R A M	T O T A L S	
GENERAL PURPOSE REVENUES			1,214,500	1,219,900
PROGRAM REVENUE			0	0
TOTAL-ALL SOURCES			1,214,500	1,219,900
(2)	EXECUTIVE RESIDENCE			
(a)	General program operations	GPR S	118,600	119,200
		(2) P R O G R A M	T O T A L S	
GENERAL PURPOSE REVENUES			118,600	119,200
TOTAL-ALL SOURCES			118,600	119,200
(3)	LIEUTENANT GOVERNOR			
(a)	General program operations	GPR A	174,300	177,300
		(3) P R O G R A M	T O T A L S	
GENERAL PURPOSE REVENUES			174,300	177,300
TOTAL-ALL SOURCES			174,300	177,300
(4)	ADVOCACY ACTIVITIES			
(b)	Advisor & program on women's & family initiatives	GPR A	85,500	71,700
(c)	Advisor & program on minority ethnic initiatives	GPR A	89,100	92,300
(i)	Gifts and grants	PR C	0	0
(m)	Federal aid	PR-F C	0	0
		(4) P R O G R A M	T O T A L S	
GENERAL PURPOSE REVENUES			174,600	164,000
PROGRAM REVENUE			0	0

Vetoed  
in Part

STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
TOTAL-ALL SOURCES			174,600	164,000
2 O . 5 2 5 D E P A R T M E N T		T O T A L S	1,682,000	1,680,400
GENERAL PURPOSE REVENUES				
PROGRAM REVENUE		(	0	0
FEDERAL		(	0	0
OTHER		(	0	0
TOTAL-ALL SOURCES			1,682,000	1,680,400
<b>20.530 EXECUTIVE PROGRAMS; COUNCIL</b>				
<b>ON CRIMINAL JUSTICE</b>				
(1) COUNCIL ON CRIMINAL JUSTICE				
(a)	Planning and administration, state operations	GPR A	102,500	100,400
(b)	Planning and administration match, local assistance	GPR A	16,900	17,300
(c)	Crim. just. improvement proj. match, local assistance	GPR A	0	0
(d)	Crim. just. improvement proj. match, state operations	GPR A	0	0
(e)	Crim. just. improvement proj. match, aids to orgs.	GPR A	0	0
(m)	Fed. aid, planning and administration, state operations	PR-F C	801,900	855,700
(n)	Fed. aid, planning and administration, local assistance	PR-F C	122,200	84,000
(o)	Fed. aid, crim. just. improve. projects, state operations	PR-F C	792,100	1,357,800
(p)	Fed. aid, crim. just. improvement projects, loc. asst.	PR-F C	1,964,700	2,440,700
(pa)	Fed. aid, crim. just. improvement projects, aid to org.	PR-F C	773,900	1,010,500
2 O . 5 3 0 D E P A R T M E N T		T O T A L S	4,454,800	5,748,700
GENERAL PURPOSE REVENUES			119,400	117,700
PROGRAM REVENUE		(	4,454,800	5,748,700
FEDERAL		(	4,454,800	5,748,700
TOTAL-ALL SOURCES			4,574,200	5,866,400
<b>20.531 EXECUTIVE PROGRAMS; CONSERVATION WORK PROJECTS BOARD</b>				
(1) CONSERVATION WORK PROJECTS				
(a)	Administration of conservation work projects program	GPR A	78,100	40,400
(m)	Federal aid	PR-F C	449,400	0
2 O . 5 3 1 D E P A R T M E N T		T O T A L S	78,100	40,400
GENERAL PURPOSE REVENUES			449,400	0
PROGRAM REVENUE		(	449,400	0
FEDERAL		(	449,400	0
TOTAL-ALL SOURCES			527,500	40,400
<b>20.536 INVESTMENT BOARD</b>				
(1) INVESTMENT OF FUNDS				
(k)	General program operations	PR-S A	1,675,800	1,633,900
2 O . 5 3 6 D E P A R T M E N T		T O T A L S	1,675,800	1,633,900
PROGRAM REVENUE		(	1,675,800	1,633,900
SERVICE		(	1,675,800	1,633,900
TOTAL-ALL SOURCES			1,675,800	1,633,900
<b>20.546 PERSONNEL BOARD</b>				
(1) PERSONNEL REGULATION				
(a)	General program operations	GPR A	28,000	28,000
2 O . 5 4 6 D E P A R T M E N T		T O T A L S	28,000	28,000
GENERAL PURPOSE REVENUES			28,000	28,000
TOTAL-ALL SOURCES			28,000	28,000
<b>20.547 PERSONNEL COMMISSION</b>				
(1) REVIEW OF PERSONNEL DECISIONS				
(a)	General program operations	GPR A	368,600	371,900
(m)	Federal aid	PR-F C	0	0
2 O . 5 4 7 D E P A R T M E N T		T O T A L S	368,600	371,900
GENERAL PURPOSE REVENUES			0	0
PROGRAM REVENUE		(	0	0
FEDERAL		(	0	0
TOTAL-ALL SOURCES			368,600	371,900
<b>20.550 PUBLIC DEFENDER BOARD</b>				
(1) LEGAL ASSISTANCE				
(a)	Program administration	GPR A	381,600	278,600
(b)	Appellate representation	GPR A	964,200	964,200
(c)	Trial representation	GPR A	6,059,100	6,157,900
(d)	Private bar and investigator reimbursement	GPR B	5,925,300	4,450,300
(e)	Indigency determinations	GPR A	20,000	20,000
(g)	Gifts and grants	PR C	0	0

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(h)	Contractual agreements	PR-S	A		0	0
(m)	Federal aid	PR-F	C		0	0
	2 0 . 5 5 0 D E P A R T M E N T			T O T A L S		
	GENERAL PURPOSE REVENUES			13,350,200		11,871,000
	PROGRAM REVENUE			0		0
	FEDERAL	(		0)	(	0)
	OTHER	(		0)	(	0)
	SERVICE	(		0)	(	0)
	TOTAL-ALL SOURCES			13,350,200		11,871,000
<b>20.566</b>	<b>REVENUE, DEPARTMENT OF</b>					
(1)	COLLECTION OF STATE TAXES					
(a)	General program operations	GPR	A	22,270,500		22,432,500
(g)	Administration of local sales tax	PR	A	0		0
(h)	Debt collections	PR	C	0		0
(hm)	Delinquent tax collections from nonresidents	PR	C	105,000		130,000
(i)	Gifts and grants	PR	C	0		0
(m)	Federal funds; state operations	PR-F	C	0		0
(u)	Motor fuel tax administration	SEG	A	714,300		717,000
	(1) P R O G R A M			T O T A L S		
	GENERAL PURPOSE REVENUES			22,270,500		22,432,500
	PROGRAM REVENUE			105,000		130,000
	FEDERAL	(		0)	(	0)
	OTHER	(		105,000)	(	130,000)
	SEGREGATED FUNDS			714,300		717,000
	OTHER	(		714,300)	(	717,000)
	TOTAL-ALL SOURCES			23,089,800		23,279,500
(2)	STATE AND LOCAL FINANCE					
(a)	General program operations	GPR	A	5,512,200		5,603,000
(g)	Auditing local units of government	PR	A	3,084,100		3,101,300
(h)	Reassessment and review	PR	A	258,900		258,900
(hi)	Wisconsin property assessment manual	PR	A	50,000		101,200
(i)	Gifts and grants	PR	C	0		0
(m)	Federal funds; state operations	PR-F	C	0		0
	(2) P R O G R A M			T O T A L S		
	GENERAL PURPOSE REVENUES			5,512,200		5,603,000
	PROGRAM REVENUE			3,393,000		3,461,400
	FEDERAL	(		0)	(	0)
	OTHER	(		3,393,000)	(	3,461,400)
	TOTAL-ALL SOURCES			8,905,200		9,064,400
(3)	ADMINISTRATIVE SERVICES					
(a)	General program operations	GPR	A	6,454,300		6,665,300
(c)	Expert professional services	GPR	B	46,000		46,000
(g)	Services	PR	A	31,800		31,800
(i)	Gifts and grants	PR	C	0		0
(m)	Federal funds; state operations	PR-F	C	0		0
	(3) P R O G R A M			T O T A L S		
	GENERAL PURPOSE REVENUES			6,500,300		6,711,300
	PROGRAM REVENUE			31,800		31,800
	FEDERAL	(		0)	(	0)
	OTHER	(		31,800)	(	31,800)
	TOTAL-ALL SOURCES			6,532,100		6,743,100
(7)	INVESTMENT AND LOCAL IMPACT FUND					
(a)	Investment and local impact fund admin. expenses	GPR	A	41,400		42,100
(dz)	Gen. fd. loan to the invest. & local impact fund board	GPR	C	0		0
(e)	Investment and local impact fund supplement	GPR	A	0		0
(n)	Federal mining revenue	PR-F	C	0		0
(v)	Investment and local impact fund	SEG	C	0		0
	(7) P R O G R A M			T O T A L S		
	GENERAL PURPOSE REVENUES			41,400		42,100
	PROGRAM REVENUE			0		0
	SEGREGATED FUNDS			0		0
	TOTAL-ALL SOURCES			41,400		42,100
(8)	PROPERTY TAX DEFERRAL					
(a)	Administrative supplement	GPR	A	39,700		46,900
(v)	Revenue obligation funding	BR	C	10,000,000		0
(w)	Revenue obligation repayment	SEG	C	0		0
(y)	Program administration	SEG	C	0		0
	(8) P R O G R A M			T O T A L S		
	GENERAL PURPOSE REVENUES			39,700		46,900
	BOND REVENUE			10,000,000		0

STATUTE, AGENCY and PURPOSE SOURCE TYPE		1981-82	1982-83
SEGREGATED FUNDS		0	0
TOTAL-ALL SOURCES		10,039,700	46,900
20.566 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES		34,364,100	34,835,800
PROGRAM REVENUE		3,529,800	3,623,200
FEDERAL	(	0)	0)
OTHER	(	3,529,800)	3,623,200)
BOND REVENUE		10,000,000	0
SEGREGATED FUNDS		714,300	717,000
OTHER	(	714,300)	717,000)
TOTAL-ALL SOURCES		48,608,200	39,176,000

**20.575 SECRETARY OF STATE**

(1) MANAGING AND OPERATING PROGRAM RESPONSIBILITIES			
(a) General program operations	GPR A	581,800	591,500
(g) Program fees	PR A	226,200	194,700
(h) Search fees	PR A	23,600	13,200
(ka) Agency collections	PR-S A	32,700	27,400
20.575 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES		581,800	591,500
PROGRAM REVENUE		282,500	235,300
OTHER	(	249,800)	207,900)
SERVICE	(	32,700)	27,400)
TOTAL-ALL SOURCES		864,300	826,800

**20.585 TREASURER, STATE**

(1) CUSTODIAN OF STATE FUNDS			
(a) General program operations	GPR A	343,500	340,900
(b) Insurance	GPR A	900	900
(e) Unclaimed property; contingency appropriation	GPR S	0	0
(g) Processing services	PR A	4,800	4,800
(j) Unclaimed property; claims and administrative expenses	PR C	42,600	87,600
20.585 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES		344,400	341,800
PROGRAM REVENUE		47,400	92,400
OTHER	(	47,400)	92,400)
TOTAL-ALL SOURCES		391,800	434,200

**20.590 UPPER GREAT LAKES REGIONAL COMMISSION**

(1) ECONOMIC DEVELOPMENT OF UPPER GREAT LAKES REGION			
(a) Federal commission operations-state contribution	GPR A	0	0
(m) State commission operations-federal funds	PR-F C	50,000	0
20.590 DEPARTMENT	TOTALS		
GENERAL PURPOSE REVENUES		0	0
PROGRAM REVENUE		50,000	0
FEDERAL	(	50,000)	0)
TOTAL-ALL SOURCES		50,000	0

**GENERAL EXECUTIVE FUNCTIONS  
FUNCTIONAL AREA TOTALS**

GENERAL PURPOSE REVENUES		76,506,700	74,041,800
PROGRAM REVENUE		56,446,900	59,295,400
FEDERAL	(	14,759,000)	15,532,000)
OTHER	(	5,641,000)	6,031,000)
SERVICE	(	36,046,900)	37,732,400)
BOND REVENUE		10,000,000	0
SEGREGATED FUNDS		6,316,800	8,153,100
FEDERAL	(	0)	0)
OTHER	(	6,316,800)	8,153,100)
SERVICE	(	0)	0)
TOTAL-ALL SOURCES		149,270,400	141,490,300

**JUDICIAL**

**20.625 CIRCUIT COURTS**

(1) COURT OPERATIONS			
(a) Circuit courts	GPR S	17,224,500	17,224,500
(b) Permanent reserve judges	GPR A	110,400	110,400
(m) Federal aid	PR-F C	0	0
(1) PROGRAM	TOTALS		
GENERAL PURPOSE REVENUES		17,334,900	17,334,900
PROGRAM REVENUE		0	0
TOTAL-ALL SOURCES		17,334,900	17,334,900
(2) AID TO COUNTIES FOR CRIMINAL TRIALS OF INDIGENTS			
(a) General program operations	GPR S	100,000	100,000



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STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
		(2) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES			100,000	100,000
TOTAL-ALL SOURCES			100,000	100,000
(3)	CHILD CUSTODY HEARINGS AND STUDIES IN OTHER STATES			
(a)	General program operations	GPR S	3,000	3,000
		(3) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES			3,000	3,000
TOTAL-ALL SOURCES			3,000	3,000
		20.625 DEPARTMENT TOTALS		
GENERAL PURPOSE REVENUES			17,437,900	17,437,900
PROGRAM REVENUE			0	0
FEDERAL		(	0)	0)
TOTAL-ALL SOURCES			17,437,900	17,437,900
<b>20.645</b>	<b>JUDICIAL COUNCIL</b>			
(1)	ADVISORY SERVICES TO THE COURTS AND LEGISLATURE			
(a)	General program operations	GPR A	92,300	93,200
(m)	Federal aid	PR-F C	0	0
		20.645 DEPARTMENT TOTALS		
GENERAL PURPOSE REVENUES			92,300	93,200
PROGRAM REVENUE			0	0
FEDERAL		(	0)	0)
TOTAL-ALL SOURCES			92,300	93,200
<b>20.660</b>	<b>COURT OF APPEALS</b>			
(1)	APPELLATE PROCEEDINGS			
(a)	General program operations	GPR S	2,057,900	2,054,900
(m)	Federal aid	PR-F C	0	0
		20.660 DEPARTMENT TOTALS		
GENERAL PURPOSE REVENUES			2,057,900	2,054,900
PROGRAM REVENUE			0	0
FEDERAL		(	0)	0)
TOTAL-ALL SOURCES			2,057,900	2,054,900
<b>20.665</b>	<b>JUDICIAL COMMISSION</b>			
(1)	JUDICIAL CONDUCT			
(a)	General program operations	GPR A	83,200	83,700
(c)	Contractual agreements	GPR B	36,800	36,800
(m)	Federal aid	PR-F C	0	0
		20.665 DEPARTMENT TOTALS		
GENERAL PURPOSE REVENUES			120,000	120,500
PROGRAM REVENUE			0	0
FEDERAL		(	0)	0)
TOTAL-ALL SOURCES			120,000	120,500
<b>20.680</b>	<b>SUPREME COURT</b>			
(1)	SUPREME COURT PROCEEDINGS			
(a)	General program operations	GPR S	1,359,200	1,368,600
(m)	Federal aid	PR-F C	0	0
		(1) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES			1,359,200	1,368,600
PROGRAM REVENUE			0	0
TOTAL-ALL SOURCES			1,359,200	1,368,600
(2)	DIRECTOR OF STATE COURTS			
(a)	General program operations	GPR A	1,766,500	1,794,800
(b)	Judicial planning and research	GPR B	92,000	0
(g)	Gifts and grants	PR C	0	0
(m)	Federal aid	PR-F C	64,000	69,300
(q)	Patients compensation panels	SEG C	323,700	324,500
		(2) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES			1,858,500	1,794,800
PROGRAM REVENUE			64,000	69,300
FEDERAL		(	64,000)	69,300)
OTHER		(	0)	0)
SEGREGATED FUNDS			323,700	324,500
OTHER		(	323,700)	324,500)
TOTAL-ALL SOURCES			2,246,200	2,188,600
(3)	PROFESSIONAL COMPETENCE AND RESPONSIBILITY			
(g)	Board of attorneys professional competence	PR C	103,200	103,200
(h)	Board of attorneys professional responsibility	PR C	405,600	411,300
		(3) PROGRAM TOTALS		
PROGRAM REVENUE			508,800	514,500
OTHER		(	508,800)	514,500)
TOTAL-ALL SOURCES			508,800	514,500
(4)	LAW LIBRARY			
(a)	General program operations	GPR A	297,100	304,400
		(4) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES			297,100	304,400
TOTAL-ALL SOURCES			297,100	304,400

STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
20.680 DEPARTMENT		TOTALS		
GENERAL PURPOSE REVENUES			3,514,800	3,467,800
PROGRAM REVENUE			572,800	583,800
FEDERAL		(	64,000)	69,300)
OTHER		(	508,800)	514,500)
SEGREGATED FUNDS			323,700	324,500
OTHER		(	323,700)	324,500)
TOTAL-ALL SOURCES			4,411,300	4,376,100

JUDICIAL		FUNCTIONAL AREA TOTALS		
GENERAL PURPOSE REVENUES			23,222,900	23,174,300
PROGRAM REVENUE			572,800	583,800
FEDERAL		(	64,000)	69,300)
OTHER		(	508,800)	514,500)
SERVICE		(	0)	0)
BOND REVENUE			0	0
SEGREGATED FUNDS			323,700	324,500
FEDERAL		(	0)	0)
OTHER		(	323,700)	324,500)
SERVICE		(	0)	0)
TOTAL-ALL SOURCES			24,119,400	24,082,600

LEGISLATIVE

20.765 LEGISLATURE

(1)	ENACTMENT OF STATE LAWS							
(a)	General program operations	GPR	S	11,448,200				11,664,400
(b)	Contingent expenses	GPR	B	4,600				4,600
(d)	Processing legislative documents	GPR	S	2,118,900				2,118,900
		(1) PROGRAM		TOTALS				
GENERAL PURPOSE REVENUES				13,571,700				13,787,900
TOTAL-ALL SOURCES				13,571,700				13,787,900
(2)	SPECIAL STUDY GROUPS							
(a)	Joint survey committee on retirement systems	GPR	A	81,100				80,500
(ab)	Retirement actuarial studies	GPR	B	8,700				8,700
(b)	Commission on uniform state laws	GPR	B	13,800				14,400
(c)	Interstate cooperation commission	GPR	B	<del>49,200</del>				<del>49,200</del> Vetoed in Part
(ca)	Interstate cooperation comm.; contingent expenditures	GPR	B	<del>11,500</del>				<del>500</del>
(cb)	Membership in national associations	GPR	S	49,900				54,600
		(2) PROGRAM		TOTALS				
GENERAL PURPOSE REVENUES				214,200				207,900
TOTAL-ALL SOURCES				214,200				207,900
(3)	LEGISLATIVE SERVICE AGENCIES							
(a)	Revisor of statutes bureau	GPR	B	251,200				256,500
(b)	Legislative reference bureau	GPR	B	1,048,400				1,035,300
(c)	Legislative audit bureau	GPR	B	1,615,200				1,712,500
(d)	Legislative fiscal bureau	GPR	B	928,800				945,900
(e)	Legislative council	GPR	B	980,300				997,900
(ec)	Council contingent expenses	GPR	B	500				500
(em)	Legislative council; contractual studies	GPR	C	0				0
(f)	Joint committee on legislative organization	GPR	B	0				0
(g)	Gifts and grants to service agencies	PR	C	0				0
(ka)	Charges for requested audits	PR-S	A	197,600				209,700
(m)	Federal aid	PR-F	C	0				0
		(3) PROGRAM		TOTALS				
GENERAL PURPOSE REVENUES				4,824,400				4,948,600
PROGRAM REVENUE				197,600				209,700
FEDERAL		(		0)				0)
OTHER		(		0)				0)
SERVICE		(		197,600)				209,700)
TOTAL-ALL SOURCES				5,022,000				5,158,300
20.765 DEPARTMENT		TOTALS						
GENERAL PURPOSE REVENUES				18,610,300				18,944,400
PROGRAM REVENUE				197,600				209,700
FEDERAL		(		0)				0)
OTHER		(		0)				0)
SERVICE		(		197,600)				209,700)
TOTAL-ALL SOURCES				18,807,900				19,154,100
LEGISLATIVE		FUNCTIONAL AREA TOTALS						
GENERAL PURPOSE REVENUES				18,610,300				18,944,400
PROGRAM REVENUE				197,600				209,700
FEDERAL		(		0)				0)

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STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83	
	OTHER	(	0)	(	0)
	SERVICE	(	197,600)	(	209,700)
	BOND REVENUE		0		0
	SEGREGATED FUNDS		0		0
	FEDERAL	(	0)	(	0)
	OTHER	(	0)	(	0)
	SERVICE	(	0)	(	0)
	TOTAL-ALL SOURCES		18,807,900		19,154,100

GENERAL APPROPRIATIONS

20.835 SHARED REVENUE AND TAX RELIEF

	(1) SHARED REVENUE ACCOUNT AND MINIMUM PAYMENTS				
Vetoed in Part	(c) Municipal and county guarantee supplement	GPR	S	13,159,200	0
	(d) shared revenue account	GPR	S	525,547,400	695,400,000
	(e) Corrections of shared revenue payments	GPR	S	75,000	75,000
Vetoed in Part	(1) PROGRAM TOTALS			538,781,600	695,475,000
	GENERAL PURPOSE REVENUES			538,781,600	695,475,000
	TOTAL-ALL SOURCES			538,781,600	695,475,000
	(2) TAX RELIEF				
	(a) Wisconsin state property tax relief	GPR	S	232,512,800	215,000,000
	(aa) Utility tax credits	GPR	A	0	0
	(bm) Omitted personal property	GPR	S	0	0
	(bs) Personal property supplement--municipalities	GPR	S	562,600	375,100
	(c) Homestead tax credit	GPR	S	93,000,000	90,000,000
	(dm) Farm property tax credit	GPR	S	13,300,000	16,900,000
	(e) Renewable energy resource system tax credit	GPR	S	0	0
Vetoed in Part	(em) Property tax credit	GPR	S	0	0
	(fn) Earned income credit	GPR	S	0	0
	(2) PROGRAM TOTALS			339,375,400	329,875,100
	GENERAL PURPOSE REVENUES			339,375,400	329,875,100
	TOTAL-ALL SOURCES			339,375,400	329,875,100
	(3) LOCAL SALES TAX				
	(f) Distribution	GPR	A	0	0
	(3) PROGRAM TOTALS			0	0
	GENERAL PURPOSE REVENUES			0	0
	TOTAL-ALL SOURCES			0	0
	20.835 DEPARTMENT TOTALS			878,157,000	1,025,350,100
	GENERAL PURPOSE REVENUES			878,157,000	1,025,350,100
	TOTAL-ALL SOURCES			878,157,000	1,025,350,100

20.855 MISCELLANEOUS APPROPRIATIONS

	(1) AERIAL PHOTOGRAPHIC SURVEY				
	(a) Survey contracts and preparation of master sets	GPR	C	0	0
	(m) Federal aid	PR-F	C	0	0
	(u) Survey contracts	SEG	C	0	0
	(1) PROGRAM TOTALS			0	0
	GENERAL PURPOSE REVENUES			0	0
	PROGRAM REVENUE			0	0
	SEGREGATED FUNDS			0	0
	TOTAL-ALL SOURCES			0	0
Vetoed in Part	(2) BOARD OF SOIL AND WATER CONSERVATION DISTRICT AIDS				
	(a) Soil and water conservation district aids	GPR	A	464,600	0
	(m) Soil and water conservation districts--federal funds	PR-F	C	0	0
	(2) PROGRAM TOTALS			464,600	0
	GENERAL PURPOSE REVENUES			464,600	0
	PROGRAM REVENUE			0	0
	TOTAL-ALL SOURCES			464,600	0
	(3) PUBLIC PATIENT TREATMENT				
	(a) Public patient treatment	GPR	B	1,808,100	1,826,500
	(3) PROGRAM TOTALS			1,808,100	1,826,500
	GENERAL PURPOSE REVENUES			1,808,100	1,826,500
	TOTAL-ALL SOURCES			1,808,100	1,826,500
	(4) TAX, INTEREST AND ASSISTANCE PAYMENTS				
	(a) Interest on overpayment of taxes	GPR	S	95,700	95,700
	(am) Transfer to transportation fund; administrative costs	GPR	B	69,000	69,000
	(b) Election campaign payments	GPR	C	600,000	600,000
	(c) Minnesota income tax reciprocity	GPR	S	10,700,000	12,300,000

\* Governor attempted subsequent removal of veto of these entries. See 70 O.A.G. 154 (1981); see also 1981 Laws, Chap. 93, s. 2.

STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83	
(d)	Interest on prorated local government payments	GPR S	0	0	
(e)	Payments for municipal services	GPR A	7,600,000	8,100,000	
(f)	County assessment aid	GPR S	565,900	595,200	
(g)	Terminal tax distribution	SEG S	680,300	717,500	
(r)	Transfer from the transp. fund to the general fund	SEG A	30,500,000	2,800,000	
(s)	<del>Integrated all company taxation payments</del>	<del>SEG C</del>	<del>0</del>	<del>0</del>	<del>Vetoed in Part</del>
			(4) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES			19,630,600	21,759,900	
SEGREGATED FUNDS			31,180,300	3,517,500	
OTHER			( 31,180,300 )	( 3,517,500 )	
TOTAL-ALL SOURCES			50,810,900	25,277,400	
(5)	STATE HOUSING AUTHORITY RESERVE FUND				
(a)	Enhancement of credit of authority debt	GPR A	0	0	
			(5) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES			0	0	
TOTAL-ALL SOURCES			0	0	
(6)	PUBLIC EMPLOYMENT PROGRAMS				
(n)	Federal aid, state operations	PR-F C	0	0	
			(6) PROGRAM TOTALS		
PROGRAM REVENUE			0	0	
TOTAL-ALL SOURCES			0	0	
(7)	DEBT COLLECTIONS				
(j)	Delinquent support payments	PR C	0	0	
			(7) PROGRAM TOTALS		
PROGRAM REVENUE			0	0	
TOTAL-ALL SOURCES			0	0	
(8)	DATA PROCESSING				
(k)	Wilson street regional data processing service center	PR-S A	3,629,600	3,855,700	
(ka)	Hill farms regional data processing service center	PR-S A	4,227,400	4,463,300	
(kb)	GEF regional data processing service center	PR-S A	0	0	
			(8) PROGRAM TOTALS		
PROGRAM REVENUE			7,857,000	8,319,000	
SERVICE			( 7,857,000 )	( 8,319,000 )	
TOTAL-ALL SOURCES			7,857,000	8,319,000	
(9)	MEMBERSHIP IN NATIONAL ASSOCIATIONS				
(a)	Council of state governments membership dues	GPR A	47,800	47,800	
			(9) PROGRAM TOTALS		
GENERAL PURPOSE REVENUES			47,800	47,800	
TOTAL-ALL SOURCES			47,800	47,800	
20.855 DEPARTMENT TOTALS					
GENERAL PURPOSE REVENUES			21,951,100	23,634,200	
PROGRAM REVENUE			7,857,000	8,319,000	
FEDERAL			( 0 )	( 0 )	
OTHER			( 0 )	( 0 )	
SERVICE			( 7,857,000 )	( 8,319,000 )	
SEGREGATED FUNDS			31,180,300	3,517,500	
OTHER			( 31,180,300 )	( 3,517,500 )	
TOTAL-ALL SOURCES			60,988,400	35,470,700	

**20.865 PROGRAM SUPPLEMENTS**

(1)	EMPLOYE COMPENSATION AND SUPPORT				
(a)	Judgments and legal expenses	GPR B	138,000	138,000	
(c)	Compensation plan adjustments	GPR A	0	0	
(ci)	University system faculty and academic pay adjustments	GPR A	0	0	
(cm)	Collective bargaining agreements	GPR A	0	0	
(d)	Employer fringe benefit costs	GPR A	0	0	
(dm)	Risk management -- worker's compensation	GPR B	2,336,800	2,336,800	
(f)	Risk management - state property	GPR B	893,200	893,200	
(fm)	Risk management - liability	GPR B	1,012,000	1,012,000	
(fn)	Physically handicapped supplements	GPR B	11,200	11,300	
(g)	Judgments and legal expenses; program revenues	PR S	0	0	
(i)	Compensation plan adjustments; program revenues	PR A	0	0	
(ic)	University system employe pay adjust.; program revenues	PR A	0	0	

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STATUTE, AGENCY and PURPOSE		SOURCE TYPE	1981-82	1982-83
(im)	Collective bargaining agree- ments; program revenues	PR A	0	0
(j)	Employer fringe benefit costs; program revenues	PR A	0	0
(ln)	Physically handicapped supple- ments; program revenues	PR S	0	0
(q)	Judgments and legal expenses; segregated revenues	SEG S	0	0
(s)	Compensation plan adjustments; segregated revenues	SEG A	0	0
(si)	University system employe pay adjustments; seg. revenues	SEG A	0	0
(sm)	Collective bargaining agree- ments; segregated revenues	SEG A	0	0
(t)	Employer fringe benefit costs; segregated revenues	SEG A	0	0
(vn)	Physically handicapped supple- ments; segregated revenues	SEG S	0	0
(1) P R O G R A M			<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES			4,391,200	4,391,300
PROGRAM REVENUE			0	0
SEGREGATED FUNDS			0	0
TOTAL-ALL SOURCES			4,391,200	4,391,300
<b>(2) CONTRACTUAL SERVICES</b>				
(a)	Space management supplements	GPR B	675,400	1,461,300
(ag)	State-owned office rent supplement	GPR B	505,400	1,126,900
(b)	Parking rental costs	GPR A	42,000	42,000
(d)	State deposit fund	GPR S	0	0
(e)	Maintenance of capitol and executive residence	GPR A	2,338,800	2,695,000
(eb)	Executive residence furnishings replacement	GPR C	25,900	25,900
(em)	Groundwater survey and analysis	GPR A	299,000	305,400
(f)	1980 decennial census	GPR C	0	0
(g)	Space management supple- ments; program revenues	PR S	0	0
(gg)	State-owned office rent supplement; program rev.	PR S	0	0
(j)	State deposit fund; program revenues	PR S	0	0
(q)	Space management supplements; segregated revenues	SEG S	0	0
(qg)	State-owned office rent supplement; seg. rev.	SEG S	0	0
(t)	State deposit fund; segregated revenues	SEG S	0	0
(2) P R O G R A M			<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES			3,886,500	5,656,500
PROGRAM REVENUE			0	0
SEGREGATED FUNDS			0	0
TOTAL-ALL SOURCES			3,886,500	5,656,500
<b>(3) TAXES, ASSESSMENTS AND SPECIAL CHARGES</b>				
(a)	Property taxes	GPR S	0	0
(b)	Assessments	GPR B	448,300	448,300
(g)	Property taxes; program revenues	PR S	0	0
(h)	Assessments; program revenues	PR S	0	0
(q)	Property taxes; segregated revenues	SEG S	0	0
(r)	Assessments; segregated revenues	SEG S	0	0
(3) P R O G R A M			<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES			448,300	448,300
PROGRAM REVENUE			0	0
SEGREGATED FUNDS			0	0
TOTAL-ALL SOURCES			448,300	448,300
<b>(4) JOINT COMMITTEE ON FINANCE SUPPLEMENTAL APPNS.</b>				
(a)	General purpose revenue funds general program suppl.	GPR B	1,000,000	1,000,000
(g)	Program revenue funds general program supplementation	PR S	0	0
(u)	Segregated funds general program supplementation	SEG S	0	0
(4) P R O G R A M			<b>T O T A L S</b>	
GENERAL PURPOSE REVENUES			1,000,000	1,000,000
PROGRAM REVENUE			0	0
SEGREGATED FUNDS			0	0
TOTAL-ALL SOURCES			1,000,000	1,000,000

STATUTE, AGENCY and PURPOSE SOURCE TYPE 1981-82 1982-83

(5)	ACCEPTANCE OF FUNDS							
(g)	Gifts and grants	PR	C		0			0
(h)	Vehicle and aircraft receipts	PR	A		0			0
(i)	Miscellaneous program revenue	PR	A		0			0
(j)	Custody accounts	PR	C		0			0
(m)	Federal aid	PR-F	C		0			0
				(5) PROGRAM TOTALS				
	PROGRAM REVENUE				0			0
	TOTAL-ALL SOURCES				0			0
(8)	SUPL. OF PROGRAM REV. AND PROG. REV.-SERVICE APPNS.							
(g)	Supplementation of PR and PRS appropriations	PR	S		0			0
				(8) PROGRAM TOTALS				
	PROGRAM REVENUE				0			0
	TOTAL-ALL SOURCES				0			0
	20.865 DEPARTMENT TOTALS							
	GENERAL PURPOSE REVENUES				9,726,000			11,496,100
	PROGRAM REVENUE				0			0
	FEDERAL	(	)		0			0
	OTHER	(	)		0			0
	SEGREGATED FUNDS				0			0
	OTHER	(	)		0			0
	TOTAL-ALL SOURCES				9,726,000			11,496,100

20.866 PUBLIC DEBT

(1)	BOND SECURITY AND REDEMPTION FUND							
(u)	Principal repayment & interest Allocated from agency appropriations	SEG-S	S		204,958,300			245,774,300
	NET APPROPRIATION	SEG-S	S		-204,958,300			-245,774,300
				(1) PROGRAM TOTALS				0
	SEGREGATED FUNDS				0			0
	TOTAL-ALL SOURCES				0			0

(2) CAPITAL IMPROVEMENT  
AUTHORIZATIONS

(s)	University of Wisconsin; academic facilities	BR	C		<del>50,253,200</del>			0 Vetoed in Part
(t)	University of Wisconsin; self- amortizing facilities	BR	C		<del>3,500,000</del>			0
(tm)	Nat. res.; poll. abate. & sewage coll. facilities, orap fund.	BR	C		0			0
(tn)	Nat. res.; poll. abate. & sewage collection facilities	BR	C		75,464,200			85,210,600
(to)	Nat. res.; poll. abate. & sewage coll. fac.; comb. sew. overfl.	BR	C		20,000,000			20,000,000
(tp)	Natural resources; recreation facilities	BR	C		0			0
<del>(tr)</del>	<del>Natural resources; recreation development</del>	<del>BR</del>	<del>C</del>		<del>1,928,000</del>			<del>0</del> Vetoed in Part
(ts)	Natural resources; land acquisition	BR	C		9,153,600			0
(tu)	Nat. res.; segregated revenue supported facilities	BR	C		2,325,800			0
(tv)	Natural resources; general tax supported admin. facilities	BR	C		1,413,500			0
(u)	Transportation; administrative facilities	BR	C		<del>10,675,500</del>			0 Vetoed in Part
(ug)	Transportation; accelerated bridge improvements	BR	C		0			0
(ur)	Transportation; accelerated highway improvements	BR	C		0			0
(us)	Transportation; connecting highway improvements	BR	C		0			0
(ut)	Transportation; federally aided highway facilities	BR	C		0			0
(uu)	Transportation; highway projects	BR	C		67,000,000			0
(uv)	Transportation; harbor improvements	BR	C		2,000,000			0
(v)	Health and social services; mental health facilities	BR	C		7,154,000			0
(w)	Health and social services; correctional facilities	BR	C		37,778,700			0
(x)	Building commission; previous lease rental authority	BR	C		0			0
(xa)	Bldg. comm.; refunding corp. tax supported debt	BR	C		0			0
(xb)	Bldg. comm.; refunding corp. self amortizing debt	BR	C		0			0
(xc)	Bldg. comm.; refunding tax supp. gen. obligation debt	BR	C		0			0

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STATUTE, AGENCY and PURPOSE		SOURCE TYPE		1981-82	1982-83
(xd)	Bldg. comm.; refund self-amort. general obligation debt	BR	C	0	0
(y)	Bldg. comm.; housing state departments and agencies	BR	C	3,650,000	0
(z)	Building commission; other public purposes	BR	C	52,528,000	0
(zb)	Medical college of Wis., inc.; basic science educ. fac.	BR	C	0	0
(zd)	Educational communications facilities	BR	C	0	0
(zf)	Historical society, historic sites	BR	C	0	0
Vetoed in Part (zg)	Historical society, museum facility	BR	C	<del>988,000</del>	0
Vetoed in Part (zh)	Public instruction, schools for deaf and blind	BR	C	0	0
(zj)	Military affairs, armories and military facilities	BR	C	<del>488,000</del>	0
(zm)	Veterans affairs, Wisconsin veterans home	BR	C	0	0
(zn)	Veterans affairs, self-amortizing mortgage loans	BR	C	0	0
(zz)	Agriculture; self-amortizing facilities	BR	C	0	0
(2) PROGRAM				TOTALS	
BOND REVENUE				354,206,500	105,210,600
TOTAL-ALL SOURCES				354,206,500	105,210,600
20.866 DEPARTMENT				TOTALS	
BOND REVENUE				354,206,500	105,210,600
SEGREGATED FUNDS SERVICE				( 0 ) ( 0 )	0
TOTAL-ALL SOURCES				354,206,500	105,210,600
<b>20.867 BUILDING COMMISSION</b>					
(1) STATE OFFICE BUILDINGS					
(a)	Principal repayment and interest	GPR	S	0	0
(g)	Agency collections	PR-S	C	0	0
(h)	Lease rental payments	PR-S	S	1,619,300	1,619,300
(i)	Principal repayment & interest	PR-S	S	3,913,100	4,901,600
(1) PROGRAM				TOTALS	
GENERAL PURPOSE REVENUES				0	0
PROGRAM REVENUE				5,532,400	6,520,900
SEGREGATED FUNDS SERVICE				( 0 ) ( 0 )	0
TOTAL-ALL SOURCES				5,532,400	6,520,900
(2) BUILDING TRUST FUND					
(f)	Facilities maintenance and improvement	GPR	B	6,462,600	6,462,700
(g)	Building trust fund	SEG	C	0	0
(r)	Planning and design	SEG	C	0	0
(u)	Aids for buildings	SEG	C	0	0
(v)	Building program funding contingency	SEG	C	0	0
(2) PROGRAM				TOTALS	
GENERAL PURPOSE REVENUES				6,462,600	6,462,700
SEGREGATED FUNDS OTHER				( 0 ) ( 0 )	0
TOTAL-ALL SOURCES				6,462,600	6,462,700
(3) STATE BUILDING PROGRAM					
(a)	Principal repayment & interest	GPR	S	327,900	6,871,100
(b)	Principal repayment & interest	GPR	S	96,200	93,400
(c)	Lease rental payments	GPR	S	0	0
(g)	Principal repayment & interest	PR-S	S	0	650,500
(h)	Principal repayment and interest	PR	S	0	0
(w)	Bonding services	SEG	S	599,800	611,200
(3) PROGRAM				TOTALS	
GENERAL PURPOSE REVENUES				424,100	6,964,500
PROGRAM REVENUE				0	650,500
OTHER SERVICE				( 0 ) ( 0 )	0
SEGREGATED FUNDS OTHER				( 599,800 ) ( 599,800 )	611,200
TOTAL-ALL SOURCES				1,023,900	8,226,200
20.867 DEPARTMENT					
GENERAL PURPOSE REVENUES				6,886,700	13,427,200
PROGRAM REVENUE				5,532,400	7,171,400
OTHER SERVICE				( 0 ) ( 0 )	0
SEGREGATED FUNDS OTHER				( 5,532,400 ) ( 5,599,800 )	611,200
TOTAL-ALL SOURCES				19,018,900	21,209,800

STATUTE, AGENCY and PURPOSE SOURCE TYPE 1981-82 1982-83

**20.876 MANAGEMENT IMPROVEMENT PLANS**

(1) ENCOURAGEMENT OF SAVINGS AND EFFICIENCY				
(ka) Management improvement plans; general fund	PR-S	A	0	0
(kb) Management improvement plans; conservation fund	PR-S	A	0	0
(kc) Management improvement plans; transportation fund	PR-S	A	0	0
(kd) Management improvement plans; veterans trust fund	PR-S	A	0	0
20.876 DEPARTMENT TOTALS			0	0
PROGRAM REVENUE			0	0
SERVICE	(		0)	0)
TOTAL-ALL SOURCES			0	0

**20.877 COMPENSATION & FRINGE BENEFIT CONTINGENCY RESERVES**

(1) PROVISION FOR COMPENSATION AND FRINGE BENEFIT ADJUSTMENTS				
(a) Employee compensation & fringe benefit cont.reserv.; GPR	GPR	B	48,006,200	101,517,600
(g) Employee compensation & fringe benefit cont.reserve; PR	PR	S	0	0
(q) Employee compensation & fringe benefit cont.reser;seg.rev	SEG	S	0	0
20.877 DEPARTMENT TOTALS			48,006,200	101,517,600
GENERAL PURPOSE REVENUES			0	0
PROGRAM REVENUE			0	0
OTHER	(		0)	0)
SEGREGATED FUNDS			0	0
OTHER	(		0)	0)
TOTAL-ALL SOURCES			48,006,200	101,517,600

**20.878 ESCROW FUNDS**

(1) PEOPLES ESCROW FUND				
(a) General fund transfer	GPR	A	0	0
(q) Peoples escrow payments	SEG	S	0	0
20.878 DEPARTMENT TOTALS			0	0
GENERAL PURPOSE REVENUES			0	0
SEGREGATED FUNDS			0	0
OTHER	(		0)	0)
TOTAL-ALL SOURCES			0	0

GENERAL APPROPRIATIONS

FUNCTIONAL AREA TOTALS

GENERAL PURPOSE REVENUES		964,727,000		1,175,425,200
PROGRAM REVENUE		13,389,400		15,490,400
FEDERAL	(	0)	(	0)
OTHER	(	0)	(	0)
SERVICE	(	13,389,400)	(	15,490,400)
BOND REVENUE		354,206,500		105,210,600
SEGREGATED FUNDS		37,780,100		4,128,700
FEDERAL	(	0)	(	0)
OTHER	(	37,780,100)	(	4,128,700)
SERVICE	(	0)	(	0)

~~SECTION 120sp. 20.115 (1) (cm) of the statutes is created to read:~~  
~~20.115 (1) (cm) Energy efficiency testing. The amounts in the schedule to fund a laboratory and personnel for testing products under ss. 100.21 and 100.42~~ Vetoed in Part



SECTION 120st. 20.115 (1) (g) of the statutes is amended to read:

20.115 (1) (g) *Related services.* The amounts in the schedule for the conduct of services related to service fees, including special and overtime meat inspection services under s. 97.42. All moneys received from such service fees as are authorized by law for the conduct of related services, including receipts for the testing and analysis of seed under s. 94.45 (3) and for special and overtime meat inspection services under s. 97.42, shall be credited to this appropriation.

SECTION 120t. 20.115 (1) (ha) of the statutes is amended to read:

20.115 (1) (ha) *Liming material research funds.* ~~All moneys collected under s. 94.66 (9) to be used~~ The amounts in the schedule for research on liming materials or crop response to liming materials and other purposes as specified under s. 94.66 (9). All moneys received under s. 94.66 (9) shall be credited to this appropriation.

SECTION 120u. 20.115 (1) (i) of the statutes is amended to read:

20.115 (1) (i) *Pesticide certification and regulation.* ~~All moneys received under s. 94.68 (1) (d) and (4) (e) for licensing certified commercial applicators under ss. 94.67 to 94.71. All moneys received under ss. 94.68 and 94.705 (1) (d) and (4) (c) shall be credited to this appropriation.~~ The amounts in the schedule for licensing manufacturers and labelers and s. 94.705 (1) (d) and (4) (e) for licensing certified commercial applicators under ss. 94.67 to 94.71. All moneys received under ss. 94.68 and 94.705 (1) (d) and (4) (c) shall be credited to this appropriation.

SECTION 120v. 20.115 (1) (j) of the statutes is amended to read:

20.115 (1) (j) *Weights and measures inspection.* ~~All moneys received under s. 98.04 (2) and from other state agencies~~ The amounts in the schedule for the performance of weights and measures services. All moneys received under s. 98.04 (2) and from other state agencies shall be credited to this appropriation.

SECTION 120w. 20.115 (1) (k) of the statutes is amended to read:

20.115 (1) (k) *Dairy trade regulation.* ~~All moneys received under s. 100.201 (6) The amounts in the schedule for the regulation of trade practices in the dairy industry under s. 100.201. All moneys received under s. 100.201 (6) shall be credited to this appropriation.~~ The amounts in the schedule for the regulation of trade practices in the dairy industry under s. 100.201. All moneys received under s. 100.201 (6) shall be credited to this appropriation.

SECTION 120x. 20.115 (1) (L) of the statutes is amended to read:

20.115 (1) (L) *Weather modification regulation.* ~~All moneys received under s. 93.35 from weather modification licenses and permits~~ The amounts in the schedule for administering the weather modification program established under s. 93.35. All moneys received under s. 93.35 from weather modification licenses and permits shall be credited to this appropriation.

SECTION 122b. 20.115 (2) (g) of the statutes is amended to read:

20.115 (2) (g) *Related services.* ~~All moneys received from such service fees as are authorized by law~~ The amounts in the schedule for the conduct of related services related to service fees. All moneys received from such service fees as are authorized by law shall be credited to this appropriation.

SECTION 122d. 20.115 (2) (h) of the statutes is amended to read:

20.115 (2) (h) *Sale of supplies.* ~~All moneys received from~~ The amounts in the schedule for the sale purchase for sale of publications and other informational material, and vaccines, identification tags, seals and tools for livestock and poultry, to be used for the purchase and. All moneys received from the sale of those materials and supplies shall be credited to this appropriation.

SECTION 122f. 20.115 (2) (i) of the statutes is amended to read:

20.115 (2) (i) *Mink research assessments.* ~~All moneys received under s. 70.425~~ The amounts in the schedule for mink research under s. 95.15. All moneys received under s. 70.425 shall be credited to this appropriation.

SECTION 122h. 20.115 (2) (j) of the statutes is amended to read:

20.115 (2) (j) *Dog licenses, rabies control and related services.* ~~All moneys received by the state treasurer under s. 174.09 (1)~~ The amounts in the schedule to provide dog license tags and forms under s. 174.07 (2), to perform other program responsibilities under ch. 174, to administer the rabies control program under s. 95.21 and to help administer the rabies control media campaign. All moneys received by the state treasurer under s. 174.09 (1) shall be credited to this appropriation.

SECTION 122j. 20.115 (3) (g) of the statutes is amended to read:

20.115 (3) (g) *Related services.* The amounts in the schedule for the conduct of services related to service fees as authorized by law. Except as provided in par. (h), all moneys received from service fees as authorized by law for the conduct of related services, including moneys received for accounting or audit services under ss. 93.06 (6) (b), 100.06 (1) (c) and 100.07, and for fruit and vegetable grading or weighing and certification of the weights of grain or supervisory services under ss. 93.06 (1m) and 93.09 (10) shall be credited to this appropriation.

SECTION 122m. 20.115 (3) (h) of the statutes is amended to read:

20.115 (3) (h) *Grain regulation — Milwaukee.* The amounts in the schedule for weighing and certifying the weights of grain received in or shipped from Milwaukee. Ninety-eight percent of all moneys received under ch. 93, excluding moneys received under s. 93.35, relating to weighing and certifying the weights of grain received in or shipped from Milwaukee to be used for those purposes shall be credited to this appropriation.

SECTION 122n. 20.115 (3) (i) of the statutes is amended to read:

20.115 (3) (i) *Marketing orders.* ~~All moneys received under ch. 96~~ The amounts in the schedule for the formulation, issuance, administration and enforcement of marketing orders and making refunds under s. 96.17. All moneys received under ch. 96 shall be credited to this appropriation.

SECTION 122p. 20.115 (3) (j) of the statutes is amended to read:

20.115 (3) (j) *Grain regulation — Superior.* The amounts in the schedule for the purposes of ch. 126. Ninety-eight percent of all moneys received under ch. 126 shall be credited to this appropriation.

SECTION 122r. 20.115 (3) (k) of the statutes is amended to read:

20.115 (3) (k) *Potato board; assessments.* ~~All moneys received under s. 100.39~~ The amounts in the schedule for the execution of the potato industry board's programs, the reimbursement of the department of agriculture, trade and consumer protection for expenses incurred and permitted under s. 100.39 and making refunds of assessments under s. 100.39. All moneys received under s. 100.39 shall be credited to this appropriation.

SECTION 122s. 20.115 (5) (h) of the statutes is amended to read:

20.115 (5) (h) *State fair operations.* The amounts in the schedule for general program operations. All moneys received for or on account of the state fair, state fair park or other events for general program operations shall be credited to this appropriation. Of the amount included for general program operations, the state fair park board may use an amount determined by the department of administration to maintain a contingent fund in the state's working bank during the period from one month prior to the beginning until one month after the end of the state fair for the payment of claims incurred in the operation of the state fair, to be expended and accounted for insofar as applicable under s. 20.920. The unencumbered balance of this appropriation on June 30 of each year shall be transferred to the appropriation under par. (i).

SECTION 122t. 20.115 (5) (i) of the statutes is amended to read:

20.115 (5) (i) *State fair capital improvement.* The surplus of receipts transferred from par. (h), to be used for the acquisition of land, the payment of construction costs, including architectural and engineering services, furnishings and equipment, and temporary financing necessary to provide facilities for exposition purposes. ~~Expenditures under this paragraph shall be approved by the joint committee on finance acting under s. 13.101.~~

SECTION 123c. 20.115 (7) (title) and (a) of the statutes are created to read:

20.115 (7) (title) LAND CONSERVATION. (a) *General program operations.* The amounts in the schedule for general program operations under ch. 92.

SECTION 123g. 20.115 (7) (b) of the statutes is created to read:

20.115 (7) (b) *Soil and water conservation project aids.* The amounts in the schedule for the payment of aids to land conservation committees under s. 92.14.

SECTION 123n. 20.115 (7) (c) of the statutes is created to read:

20.115 (7) (c) *Erosion control program aids.* The amounts in the schedule for the payment of aids to land conservation committees under s. 92.10.

Vetoed  
in Part

SECTION 123r. 20.115 (7) (g) of the statutes is created to read:

20.115 (7) (g) *Soil and water conservation — gifts and grants.* All moneys received from gifts, donations, grants, bequests and devises to carry out soil and water conservation activities for the purposes specified.

SECTION 123w. 20.115 (7) (m) of the statutes is created to read:

20.115 (7) (m) *Soil and water conservation — federal funds.* All moneys received from the federal government, as authorized by the governor under s. 16.54, for the purposes specified.

SECTION 123y. 20.115 (8) (h) of the statutes is amended to read:

20.115 (8) (h) *Sale of supplies.* The amounts in the schedule for the purchase and sale of materials and supplies. All moneys received from the sale of publications and other informational material and supplies ~~to be used for the purchase and sale of such material and supplies~~ shall be credited to this appropriation.

SECTION 124m. 20.124 (1) (g) of the statutes is amended to read:

20.124 (1) (g) *General program operations.* The amounts in the schedule for the execution of the functions of the office. Ninety per cent percent of all moneys received by the office ~~for the execution of its functions~~ shall be credited to this appropriation.

SECTION 125m. 20.141 (1) (g) of the statutes is amended to read:

20.141 (1) (g) *General program operations.* The amounts in the schedule for the supervision of credit unions under ch. 186. Ninety per cent percent of all moneys received by the office ~~for the supervision of credit unions under ch. 186~~ shall be credited to this appropriation.

SECTION 126. 20.143 (1) (title) of the statutes is amended to read:

20.143 (1) (title) ECONOMIC AND COMMUNITY DEVELOPMENT.

SECTION 127. 20.143 (1) (a) of the statutes is amended to read:

20.143 (1) (a) *General program operations.* The amounts in the schedule for ~~the promotion of economic development under ch. 560~~ general program operations.

SECTION 128. 20.143 (1) (b) of the statutes is amended to read:

20.143 (1) (b) (title) *Economic development promotion.* Biennially, the amounts in the schedule for economic development advertising promotion.

SECTION 129. 20.143 (1) (m) of the statutes is amended to read:

20.143 (1) (m) (title) *Federal aid, state operations*. All moneys received from the federal government as authorized by the governor under s. 16.54, ~~to carry out the purpose for which made and received~~ for state operations.

SECTION 130. 20.143 (1) (n) of the statutes is created to read:

20.143 (1) (n) *Federal aid, local assistance*. All moneys received from the federal government, as authorized by the governor under s. 16.54, for local assistance.

SECTION 131. 20.143 (1) (o) of the statutes is created to read:

20.143 (1) (o) *Federal aid, individuals and organizations*. All moneys received from the federal government, as authorized by the governor under s. 16.54, for aids to individuals and organizations.

SECTION 131m. 20.143 (2) (b) of the statutes is amended to read:

20.143 (2) (b) *Tourism marketing*. Biennially, the amounts in the schedule for tourism marketing service expenses and the execution of the functions under ss. 560.23 (4) and 560.29. Of the amounts under this paragraph not more than 50% shall be set aside to be used to match funds allocated under s. 560.29 by private or public organizations, including regional tourism development corporations, for the promotion of tourism in cooperation with the state.

SECTION 132. 20.143 (2) (m) of the statutes is amended to read:

20.143 (2) (m) (title) *Federal aid, state operations*. All moneys received from the federal government for state operations, ~~aids to localities and aids to individuals and organizations~~, as authorized by the governor under s. 16.54, ~~to carry out the purposes for which made and received~~.

SECTION 133. 20.143 (2) (n) of the statutes is created to read:

20.143 (2) (n) *Federal aid, local assistance*. All moneys received from the federal government, as authorized by the governor under s. 16.54, for local assistance.

SECTION 134. 20.143 (2) (o) of the statutes is created to read:

20.143 (2) (o) *Federal aid, individuals and organizations*. All moneys received from the federal government, as authorized by the governor under s. 16.54, for aids to individuals and organizations.

SECTION 135. 20.143 (3) (b) of the statutes is amended to read:

20.143 (3) (b) (title) *Housing development fund*. Biennially, the amounts in the schedule ~~for aid to organizations~~, to strengthen housing programs and to increase the availability of housing. No grant made under this paragraph may be made to the same project for more than 2 years except that a grant may extend one additional year where the secretary of development finds exceptional circumstances. ~~Grants may be awarded or funds encumbered or expended from funds appropriated under this paragraph for a biennium after the 1979-81 biennium only after the plan for this appropriation is approved as required by s. 560.11.~~

SECTION 136. 20.143 (3) (c) of the statutes is repealed.

SECTION 136d. 20.143 (3) (j) of the statutes is amended to read:

20.143 (3) (j) *Housing loans — aids to localities*. The amounts in the schedule for other loans to localities which are sponsors of low- and moderate-income housing projects under s. 560.04 (3) (b). All moneys received as repayment of loans made under par. (f) and s. 560.04 (3) (b) ~~to be used for other loans to localities which are sponsors of low- and moderate-income housing projects under s. 560.04 (3) (b)~~ shall be credited to this appropriation.

SECTION 136p. 20.143 (3) (L) of the statutes is amended to read:

20.143 (3) (L) *Housing loans — aids to organizations.* ~~Moneys~~ The amounts in the schedule for other loans to organizations which are sponsors of low- and moderate-income housing projects under s. 560.04 (3) (b). ~~All moneys received as repayment of loans made under par. (fa) and s. 560.04 (3) (b) to be used for other loans to organizations which are sponsors of low- and moderate-income housing projects under s. 560.04 (3) (b) shall be credited to this appropriation.~~

SECTION 137. 20.143 (4) (title) of the statutes is amended to read:

20.143 (4) (title) EXECUTIVE AND ADMINISTRATIVE SERVICES.

SECTION 138. 20.143 (4) (c) of the statutes is renumbered 20.143 (3) (ea).

SECTION 139. 20.143 (4) (f) of the statutes is renumbered 20.143 (1) (c).

SECTION 140. 20.143 (4) (g) of the statutes is renumbered 20.143 (3) (h) and amended to read:

20.143 (3) (h) *Plat review.* The amounts in the schedule for plat review services. ~~All moneys received for plat review services under ch. 236 shall be credited to this appropriation.~~

SECTION 141. 20.143 (4) (j) of the statutes is renumbered 20.143 (4) (g).

SECTION 142. 20.143 (5) of the statutes is repealed.

SECTION 142m. 20.145 (1) (g) of the statutes is amended to read:

20.145 (1) (g) *General program operations.* The amounts in the schedule for general operations. ~~Ninety per cent percent of all moneys received under ss. 601.31, 601.32, 601.45 and 601.47 for general operations shall be credited to this appropriation.~~

SECTION 143. 20.145 (5) of the statutes is repealed.

SECTION 144. 20.145 (7) (a) of the statutes is renumbered 20.145 (7) (u) and amended to read:

20.145 (7) (u) (title) *Administration.* As a continuing appropriation, the amounts in the schedule from the health insurance risk sharing plan fund for the administration of subch. II of ch. 619. No funds may be expended under this paragraph after June 30, 1983, or the general effective date of the 1983-85 biennial budget act, whichever is later.

SECTION 145. 20.145 (7) (g) of the statutes is renumbered 20.145 (7) (v) and amended to read:

20.145 (7) (v) (title) *Operations and benefits.* All From the health insurance risk sharing plan fund, all moneys received under subch. II of ch. 619 for the administration of and benefits payable under subch. II of ch. 619. No moneys may be expended under this paragraph after June 30, 1983, or the general effective date of the 1983-85 biennial budget act, whichever is later.

SECTION 145m. 20.155 (1) (g) of the statutes is amended to read:

20.155 (1) (g) *Utility regulation.* The amounts in the schedule for the regulation of utilities. ~~All moneys received by the commission under s. 184.10 (3), 196.85 or 196.855 for the regulation of utilities shall be credited to this appropriation.~~ Receipts from the sale of miscellaneous printed reports and other copied material, the cost of which was originally paid under this paragraph, shall be credited herein to this appropriation.

SECTION 146. 20.165 (2) (g) of the statutes is amended to read:

20.165 (2) (g) *General program operations.* The amounts in the schedule for the licensing, rule-making and regulatory functions of the department. ~~Ninety percent of all moneys received under chs. 163 and 440 to 459, except s. 440.07, for the licensing, rule-making and regulatory functions of the department 163.80, shall be credited to this appropriation.~~

SECTION 147. 20.165 (2) (h) of the statutes is repealed.

SECTION 148. 20.165 (2) (m) of the statutes is created to read:

20.165 (2) (m) *Federal funds.* All moneys received from the federal government as authorized by the governor under s. 16.54 to carry out the purposes for which made and received.

SECTION 149. 20.165 (3) of the statutes is repealed.

SECTION 150. 20.175 (1) (g) of the statutes is amended to read:

20.175 (1) (g) *General program operations.* ~~Ninety per cent~~ The amounts in the schedule for the supervision of savings and loan associations under ch. 215. One hundred percent of all moneys received from services rendered by the office and 90% of all other moneys received by the office for the supervision of savings and loan associations under ch. 215 shall be credited to this appropriation. Insofar as practicable, all such services shall be billed at cost.

SECTION 151. 20.185 (1) (a) of the statutes is repealed.

SECTION 152. 20.185 (1) (g) of the statutes is created to read:

20.185 (1) (g) *General program operations.* The amounts in the schedule for the regulation of the sale of securities, corporate take-over offers under ch. 552 and franchise investments under ch. 553. Ninety percent of all moneys received under ss. 551.33 (4), 551.52, 552.15 and 553.72 shall be credited to this appropriation.

SECTION 153. 20.225 (1) (b) of the statutes is amended to read:

20.225 (1) (b) *Utilities and heating.* ~~A sum sufficient~~ The amounts in the schedule to pay for the use of electricity, water and sewage services and to cover the cost of fuels and purchased heat for space heating.

SECTION 154. 20.225 (1) (d) of the statutes is repealed.

SECTION 155. 20.225 (1) (e) of the statutes is repealed.

SECTION 155d. 20.225 (1) (h) of the statutes is amended to read:

20.225 (1) (h) *Instructional material.* The amounts in the schedule for providing instructional materials under s. 39.11 (16). All moneys received from the sale of instructional material, under s. 39.11 (16), for the cost of providing such material, and all moneys received under s. 39.11 (18) shall be credited to this appropriation.

SECTION 156. 20.235 (1) (b) of the statutes is amended to read:

20.235 (1) (b) *Tuition grants.* ~~A sum sufficient~~ The amounts in the schedule for the purposes of s. 39.30.

SECTION 157. 20.235 (1) (d) of the statutes is amended to read:

20.235 (1) (d) *Dental education contract.* The amounts in the schedule for support of those Wisconsin residents enrolled as full-time students in the pursuit of a doctor of dental surgery (D.D.S.) degree. An amount of \$3,920 in 1979-80 and \$4,050 in 1980-81 \$4,374 in 1981-82 and \$4,724 in 1982-83 shall be disbursed under s. 39.46 for each Wisconsin resident enrolled as a full-time student. The maximum number of Wisconsin residents to be funded under this appropriation is 500 in each fiscal year 450 in 1981-82 and 400 in 1982-83.

SECTION 159. 20.235 (1) (fb) of the statutes is amended to read:

20.235 (1) (fb) *Indian student assistance.* ~~A sum sufficient~~ The amounts in the schedule to carry out the purposes of s. 39.38.

SECTION 160. 20.235 (1) (fe) of the statutes is amended to read:

20.235 (1) (fe) *Wisconsin higher education grants.* ~~Biennially, the~~ The amounts in the schedule to carry out the purposes of s. 39.435.

SECTION 161. 20.235 (1) (ff) of the statutes is amended to read:

20.235 (1) (ff) (title) *Wisconsin health education loan program grants.* ~~A sum sufficient~~ The amounts in the schedule for the purposes of s. 39.377.

SECTION 161g. 20.235 (1) (g) of the statutes is amended to read:

20.235 (1) (g) *Student loans.* ~~The~~ The amounts in the schedule for additional loans under s. 39.32, for repurchase of loans assigned, sold or conveyed and for repayment of advances by the investment board. All moneys received from the principal repaid on student loans made under ss. 39.32 and 49.42, 1963 stats., other than principal repaid on loans assigned, sold or conveyed, and all moneys received as an advance from the investment board, under s. 25.17 (3) (bf), 1977 stats. to be used for additional loans under s. 39.32, for repurchase of loans assigned, sold or conveyed and for repayment of advances by the investment board, shall be credited to this appropriation. Moneys credited to the higher educational aids board as a result of investments shall be considered under this appropriation as repayments. The amount of advances to the higher educational aids board charged against the authorization under s. 25.17 (3) (bf), 1977 stats. shall be decreased by the amount of any repayments to the investment board under this appropriation. Advances repaid to the investment board shall be reappropriated to the higher educational aids board for the purpose of providing additional loans subject to s. 25.17 (3) (bf) 2, 1977 stats. Principal repayments on loans assigned, sold or conveyed shall be repaid under this appropriation. The state auditor may annually audit the portfolio of student loans and notes thereon in the possession of the higher educational aids board and report his or her determination of the current condition of the student notes receivable portfolio to the investment board, the joint committee on finance, the higher educational aids board and the department of administration.

SECTION 161p. 20.235 (1) (gn) of the statutes is amended to read:

20.235 (1) (gn) *Medical student loans.* The amounts in the schedule for loans to undergraduate medical students under s. 39.34. All moneys received as an advance from the investment board under s. 25.17 (3) (bc), 1977 stats. to be used for loans to undergraduate medical students under s. 39.34, shall be credited to this appropriation.

SECTION 162b. 20.235 (2) (hc) and (ib) of the statutes are repealed.

SECTION 162d. 20.235 (2) (ia) of the statutes is amended to read:

20.235 (2) (ia) *Centralized lender collections, fees.* The amounts in the schedule for general program operations. All moneys received from institutions, lenders, agencies and secondary market purchasers for or related to the collection or administration of student loan programs ~~to be used for general program operations~~ shall be credited to this appropriation. The unencumbered balance of this appropriation on June 30 of each year shall lapse to the general fund.

SECTION 162p. 20.235 (2) (ja) of the statutes is amended to read:

20.235 (2) (ja) *Write-off of defaulted student loans.* The amounts in the schedule for write-off of defaulted student loans made under s. 49.42, 1963 stats., and ss. 39.32 and 39.34. All moneys originally appropriated for student loans other than moneys advanced from the investment board, and other than moneys resulting from assignment, sale or conveyance of student loans, for write-off of defaulted student loans made under s. 49.42, 1963 stats., and ss. 39.32 and 39.34 shall be credited to this appropriation.

SECTION 163. 20.245 (1) (c) of the statutes is amended to read:

20.245 (1) (c) *Utilities and heat.* ~~A sum sufficient~~ The amounts in the schedule to pay for utilities and heat supplied the historical society at the historical society building located at 816 State Street, Madison, Wisconsin; the Old World Wisconsin museum located at Eagle, Wisconsin; and historic sites operated by the society at Greenbush, Cassville, Mineral Point, Madeline Island and Prairie du Chien, Wisconsin.

SECTION 165. 20.245 (1) (fb) of the statutes is amended to read:

20.245 (1) (fb) *Portraits of governors*. ~~A sum sufficient~~ The amounts in the schedule to pay for costs associated with the selection and the purchase of portraits of governors painted under s. 44.02 (12) (a).

SECTION 165m. 20.245 (1) (g) of the statutes is amended to read:

20.245 (1) (g) *Admissions, sales and other receipts*. ~~Admissions~~ The amounts in the schedule for general program operations. All moneys received from admissions, sales, fines and other moneys received by the society, except moneys that are otherwise specifically appropriated by law, shall be credited to this appropriation.

SECTION 166. 20.250 (1) (a) of the statutes is amended to read:

20.250 (1) (a) *General program operations*. The amounts in the schedule for medical education, teaching and research as provided under s. 39.155. An amount of ~~\$7,998 in 1979-80~~ \$9,243 in 1981-82 and ~~\$8,558 in 1980-81~~ \$9,262 in 1982-83 shall be disbursed under s. 39.155 for each Wisconsin resident enrolled as a student in pursuit of a doctor of medicine (M.D.) degree. ~~The maximum number of Wisconsin residents to be funded under this appropriation are as follows: in 1979-80, 496 and in 1980-81, 514.~~ The number of Wisconsin residents enrolled in the class entering the college in 1980-81 and each year thereafter to be funded under this appropriation shall be determined by multiplying the total number of students enrolled in that class by 0.62, but may not exceed 124.

SECTION 168. 20.255 (1) (be) of the statutes is repealed.

SECTION 169. 20.255 (1) (bg) of the statutes is repealed.

SECTION 171. 20.255 (1) (cc) of the statutes is amended to read:

20.255 (1) (cc) *General equalization aids*. The amounts in the schedule for the payment of educational aids provided in subchs. II and VI of ch. 121, less the amounts charged to the appropriations under ~~pars. par. (cd) and (ce) and less the amounts received as applied receipts under par. (fj).~~

SECTION 172. 20.255 (1) (cd) of the statutes is amended to read:

20.255 (1) (cd) *General aid; federal revenue sharing*. ~~A sum sufficient~~ As a continuing appropriation, an amount equivalent to the revenue amount appropriated by the U.S. congress for federal fiscal years commencing before October 1, 1980, and received by this state under the state and local fiscal assistance act of 1972 (P.L. 92-512), as amended by P.L. 94-488, and interest thereon to be used for the payment of educational aids provided under subch. II of ch. 121. This appropriation shall be fully utilized annually and the balance of any aid payments due under subch. II of ch. 121 shall be charged to the appropriation under par. (cc).

SECTION 173. 20.255 (1) (ce) of the statutes is repealed.

SECTION 173m. 20.255 (1) (ch) of the statutes is amended to read:

20.255 (1) (ch) *Aid for cooperative educational service agencies*. The amounts in the schedule for ~~the a~~ payment of ~~\$47,300 in 1979-80 and \$50,600~~ not to exceed \$25,000 annually thereafter to each cooperative educational service agency, for the current operational expenses of these agencies. The remainder of the amounts in the schedule shall be distributed by the department to cooperative educational service agencies for human growth and development programs under s. 116.01.

SECTION 175. 20.255 (1) (cj) of the statutes is amended to read:

20.255 (1) (cj) *Aid for agency school committees*. The amounts in the schedule to reimburse cooperative educational service agencies for agency school committee expenses under s. ss. 116.52 (3) and 117.03 (2).

SECTION 176. 20.255 (1) (fe) of the statutes is amended to read:



20.255 (1) (fe) *Aids for school lunches and elderly nutrition.* ~~A sum sufficient~~ The amounts in the schedule for the payment of school lunch aids to school districts under s. 115.34 (2) and for nutritional improvement for the elderly under s. 115.345.

SECTION 177. 20.255 (1) (fj) of the statutes is repealed.

SECTION 178. 20.255 (1) (fk) of the statutes is amended to read:

20.255 (1) (fk) *Tax base loss reimbursement.* ~~A sum sufficient~~ Biennially, the amounts in the schedule for the payment of the reimbursement for excess tax base loss determined under s. 121.11.

SECTION 179. 20.255 (1) (fn) of the statutes is renumbered 20.255 (4) (fn).

SECTION 180. 20.255 (1) (fo) of the statutes is amended to read:

20.255 (1) (fo) *Supplemental state aid.* ~~A sum sufficient~~ Biennially, the amounts in the schedule for payments to school districts under s. 121.085.

SECTION 180m. 20.255 (1) (fq) of the statutes is amended to read:

20.255 (1) (fq) *Aid to organizations.* ~~The amounts in the schedule to provide \$75,000 annually for Wisconsin special Olympics, incorporated, to be used to offset its administrative costs and to provide \$15,000 annually to the gallery of famous black Americans, Milwaukee, for the purpose of supporting educational programs and providing housing for gallery materials relating to black American heritage.~~

SECTION 182. 20.255 (1) (g) of the statutes is amended to read:

20.255 (1) (g) *Alcohol and other drug abuse program.* ~~All moneys deposited to this appropriation under s. 165.87 (1) to be credited to the appropriation under par. (be)~~ Biennially, the amounts in the schedule for the purpose of s. 115.36 (2) and the administration of s. 115.36 (3), ~~except that any.~~ All moneys deposited to this appropriation under s. 165.87 (1) shall be credited to this appropriation. Any amount deposited in a biennium in excess of the amount in the schedule under par. (be) shall lapse to the general fund.

SECTION 183. 20.255 (1) (gm) of the statutes is amended to read:

20.255 (1) (gm) *Aid for alcohol and other drug abuse programs.* ~~All moneys deposited to this appropriation under s. 165.87 (1) to be credited to the appropriation under par. (bg)~~ Biennially, the amounts in the schedule for the purpose of s. 115.36 (3), ~~except that any.~~ All moneys deposited to this appropriation under s. 165.87 (1) shall be credited to this appropriation. Any amount deposited in a biennium in excess of the amount in the schedule under par. (bg) shall lapse to the general fund.

SECTION 183d. 20.255 (1) (ha) of the statutes is amended to read:

20.255 (1) (ha) *Personnel certification.* ~~The amounts in the schedule to fund certification administrative costs under s. 115.28 (7) (d).~~ All moneys received from the certification of school and public library personnel under s. 115.28 (7) (d) to fund certification administrative costs under that subsection shall be credited to this appropriation.

SECTION 183p. 20.255 (1) (i) of the statutes is amended to read:

20.255 (1) (i) *Publications.* The amounts in the schedule for the publication of materials under subch. II of ch. 115. All moneys received from the sale of publications, as authorized by subch. II of ch. 115, for the publication of such materials shall be credited to this appropriation.

SECTION 183r. 20.255 (1) (j) of the statutes is amended to read:

20.255 (1) (j) *School lunch handling charges.* The amounts in the schedule for the transportation, warehousing, processing and insuring of food products granted to this state by the federal government. All moneys received from contracts made under s. 115.34 (1) (a), under which food products granted to the state by the federal government are utilized for the transportation, warehousing, processing and insuring of such food products, shall be credited to this appropriation.

SECTION 183s. 20.255 (1) (q) of the statutes is repealed.

~~SECTION 185e. 20.255 (1) (s) of the statutes is created to read:  
20.255 (1) (s) *Integrated oil company taxation fund.* All moneys received from the integrated oil company taxation payments under s. 20.855 (4) (s) for the payment of educational aids provided in subch. II of ch. 121.~~ Vetoed in Part

SECTION 185m. 20.255 (2) (a) 2 of the statutes is amended to read:

20.255 (2) (a) 2. Contingent fund. From the appropriation made by this paragraph there is allotted to each institution, subject to the approval of the joint committee on finance acting under s. 13.101, such sums as are necessary to be used as a contingent fund to be expended as provided in s. 20.920.

SECTION 186. 20.255 (2) (b) of the statutes is amended to read:

20.255 (2) (b) *Utilities and heating.* ~~A sum sufficient~~ The amounts in the schedule to cover the cost of utilities at the schools for the deaf and visually handicapped, including electricity, water, sewage service and fuel used for space heating at the 2 schools and applicable freight charges. Coal or fuel oil purchases under this paragraph shall be pursuant to s. 16.71 and payments for coal purchased hereunder shall be made as provided in s. 16.91.

SECTION 186d. 20.255 (2) (g) of the statutes is amended to read:

20.255 (2) (g) *Student activity therapy.* The amounts in the schedule for the purchase of necessary materials, equipment and supplies for activity therapy. All moneys received in connection with the sale of products resulting from activity therapy at the 2 schools ~~to be used for the purchase of necessary materials, equipment and supplies for activity therapy shall be credited to this appropriation.~~

SECTION 186p. 20.255 (2) (i) of the statutes is amended to read:

20.255 (2) (i) *Professional services center charges.* The amounts in the schedule to carry out the purposes for which the sale or use of services and inventory items are received. All moneys received from the sale or use of services and inventory items ~~with such revenue to be used to carry out the purposes for which received shall be credited to this appropriation.~~

SECTION 187. 20.255 (3) (c) of the statutes is repealed.

SECTION 188. 20.255 (3) (k) of the statutes is created to read:

20.255 (3) (k) *State agency library processing center.* The amounts in the schedule for the operation of the state agency library processing center. All moneys received for services relating to the operation of the center shall be credited to this appropriation.

SECTION 189. 20.255 (4) (fe) of the statutes is amended to read:

20.255 (4) (fe) *Aids for school lunches.* ~~A sum sufficient~~ The amounts in the schedule for the payment of school lunch aids to private schools under s. 115.34 (2).

SECTION 190. 20.285 (1) (a) of the statutes is repealed and recreated to read:

20.285 (1) (a) *General program operations.* The amounts in the schedule for the purpose of educational programs and related programs. Any transfers between the instruction, research, public service, libraries, learning resources and media, farm operations, student services, auxiliary enterprises, physical plant or general operations and services subprograms shall be reported quarterly to the department of administration.

SECTION 190m. 20.285 (1) (b) of the statutes is repealed.

SECTION 191. 20.285 (1) (c) of the statutes is amended to read:

20.285 (1) (c) *Utilities and heating.* ~~A sum sufficient~~ The amounts in the schedule to pay for the use of electricity, water and sewer and to cover the cost of coal or other fuels used for heating or cooling, including freight charges and local hauling charges where

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applicable. Coal or fuel oil purchases under this paragraph shall be purchased pursuant to s. 16.71. Payment for coal purchased hereunder shall be made as provided in s. 16.91. This program expenditure shall be reimbursed from par. (h) for the cost of all charges, including transportation, properly allocable to auxiliary enterprises.

SECTION 192m. 20.285 (1) (g) of the statutes is amended to read:

20.285 (1) (g) *Physical plant service departments.* ~~All moneys transferred by the board of regents from other appropriations made by this section, to be used~~ The amounts in the schedule for the operation of the university service departments, and to permit cooperation between the service departments and any state or federal agency, and to be available for the purchase of materials and the payment of wages. ~~The board of regents may transfer moneys from or to any other program revenue appropriation under this section to or from the appropriation under this paragraph.~~ To the extent that moneys for the payment of wages under this paragraph are transferred from general purpose revenue appropriations, those appropriations may be supplemented as necessary from s. 20.865 (1) (c) for pay plan costs associated with the proportionate share of wages paid by such appropriations. All moneys received for the operation of the university service departments shall be credited to this appropriation.

SECTION 193. 20.285 (1) (gb) of the statutes is amended to read:

20.285 (1) (gb) *Principal repayment and interest.* ~~A~~ From the revenues credited under par. (h), a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of self-amortizing university facilities.

SECTION 194. 20.285 (1) (gc) of the statutes is amended to read:

20.285 (1) (gc) *Lease rental payments.* ~~All moneys transferred from par. (h)~~ From the revenues credited under par. (h), a sum sufficient to pay the rentals required to be made on self-amortizing facilities under leases entered into under ss. 36.06 and 37.02, 1969 stats.

SECTION 194b. 20.285 (1) (h) of the statutes is amended to read:

20.285 (1) (h) *Auxiliary enterprises.* The amounts in the schedule for the operation, maintenance and capital expenditures of activities specified in this paragraph, including the transfer of funds to nonprofit building corporations to be used by the corporations for the retirement of existing indebtedness and such other payments as may be required under existing loan agreements, and for optional rental payments in addition to the mandatory rental payments under the leases and subleases, in connection with the providing of facilities for such activities. All moneys received by the university of Wisconsin system for or on account of any housing facility, commons, dining halls, cafeteria, student union, athletic activities, stationery stand or book store, parking facilities, car fleet, intercollegiate athletics at the university of Wisconsin-Madison, or such other auxiliary enterprise activities as the board designates and including such fee revenues as allocated by the board and including such moneys received under leases entered into previously with nonprofit building corporations as the board designates to be receipts under this paragraph ~~shall be paid into the general fund, and are appropriated therefrom, subject to the limitation hereinafter provided, to be used for 1) the operation, maintenance and capital expenditures of such activities, and including the transfer of funds to such nonprofit corporations to be used by such corporations for the retirement of existing indebtedness and such other payments as may be required under existing loan agreements, and for 2) optional rental payments in addition to the mandatory rental payments under the leases and subleases, in connection with the providing of facilities for such activities.~~ The amounts so appropriated shall not exceed the amounts paid into the general fund as aforesaid after deducting therefrom the amount appropriated under pars. (gb) and (gc) for the payment of principal and interest and lease rentals by the board under ss. 36.06 (6) and 37.02 (3),

~~1969 stats. The amounts appropriated and available under this paragraph shall be determined by the department of administration shall be credited to this appropriation. A separate account shall be maintained for each campus, the center system and extension.~~

SECTION 194d. 20.285 (1) (ha) of the statutes is amended to read:

20.285 (1) (ha) *Stores.* ~~The board of regents may use balances in program revenue appropriations~~ The amounts in the schedule for the operation of a university stores division at any campus, for the center system or for extension, and to permit sales from these stores divisions to other divisions of the university, any agency of the state, local government or federal government, or to university related activities, and to permit cooperation between the stores divisions and any board, commission or department of state, local or federal government and the university. The board of regents may transfer moneys from or to any other program revenue appropriation under this section to or from the appropriation authorized by this paragraph. A separate account shall be maintained for each stores division operated pursuant to this paragraph, and funds in these accounts shall not be commingled. All moneys received for the operation of a university stores division at any campus, for the center system or extension shall be credited to this appropriation.

SECTION 194f. 20.285 (1) (i) of the statutes is amended to read:

20.285 (1) (i) *State laboratory of hygiene.* The amounts in the schedule for general program operations. All fees and other moneys received for or on account of the operation of the state laboratory of hygiene shall be credited to this appropriation.

SECTION 194g. 20.285 (1) (ia) of the statutes is created to read:

20.285 (1) (ia) *State laboratory of hygiene, drivers.* The amounts in the schedule for the state laboratory of hygiene for costs associated with services for drivers. All moneys transferred from s. 20.435 (2) (hx) shall be credited to this appropriation, except that the unencumbered balance on June 30 of each year shall revert to the appropriation under s. 20.435 (2) (hx).

SECTION 194h. 20.285 (1) (im) of the statutes is amended to read:

20.285 (1) (im) *Academic student fees.* The amounts in the schedule for degree credit instruction. All moneys received from academic student fees for degree credit instruction shall be credited to this appropriation.

SECTION 194j. 20.285 (1) (iz) of the statutes is amended to read:

20.285 (1) (iz) *General operations receipts.* The amounts in the schedule for general operations. All moneys received for or on account of the university of Wisconsin system unless otherwise specifically appropriated or nonappropriated. At the close of each fiscal year the balance in this paragraph shall be carried forward to the succeeding fiscal year to constitute, together with the revenues of such year, the source of moneys appropriated for that year shall be credited to this appropriation.

SECTION 194k. 20.285 (1) (k) of the statutes is amended to read:

20.285 (1) (k) *Adult education center operations.* The amounts in the schedule for the operation of the adult education center at the university of Wisconsin-Madison. All moneys received for or on account of the operation of the adult education center at the university of Wisconsin-Madison shall be credited to this appropriation.

SECTION 194m. 20.285 (1) (ka) of the statutes is amended to read:

20.285 (1) (ka) *Sale of real property.* The amounts in the schedule for the purposes of s. 36.34, 1969 stats., and s. 36.33, including the expenses enumerated in s. 13.48 (2) (d) incurred in selling the real property under those sections. All net proceeds from the sale of real property by the board under s. 36.34, 1969 stats., and s. 36.33 for purposes provided for in those sections, including the expenses enumerated in s. 13.48 (2) (d) incurred in selling the real property shall be credited to this appropriation.

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SECTION 194n. 20.285 (1) (kb) of the statutes is amended to read:

20.285 (1) (kb) *University of Wisconsin hospital and clinics.* The amounts in the schedule for operating expenses of the university of Wisconsin hospital and clinics and related services. All fees and other moneys received for or on account of the operation of the university of Wisconsin hospital and clinics for the treatment of patients, the operations of the hospital cafeteria, outpatient housing, parking service and other services, ~~to be used for operating expenses of the hospitals and related services~~ shall be credited to this appropriation.

SECTION 195f. 20.285 (2) (b) of the statutes is amended to read:

20.285 (2) (b) *Cash fund.* The board may use balances in university program revenue appropriations as contingent funds for the payment of miscellaneous expenses where immediate payment is deemed necessary but not to exceed \$2,000,000 in total. ~~The board may transfer moneys from or to any other program revenue appropriation to or from the program revenue appropriations authorized by this paragraph.~~

SECTION 195m. 20.285 (2) (d) of the statutes is amended to read:

20.285 (2) (d) *Fee and tuition remissions.* The aggregate amount of nonresident remissions of tuition and fees for any fiscal year for the institutions formerly governed under ch. 36, 1971 stats., ~~with the exception of the legislative fee remission authorized under s. 36.27 (3) (e),~~ may not exceed the aggregate amount so remitted for those institutions in the 1970-71 fiscal year as adjusted for proportional increases in tuition charges since 1976-77, and for the institutions formerly governed under ch. 37, 1971 stats., the aggregate amount ~~with the exception of legislative fee remissions authorized under s. 36.27 (3) (e)~~ shall not exceed the aggregate amount so remitted for those institutions in the 1972-73 fiscal year as adjusted for proportional increases in tuition charges since 1976-77. This paragraph does not restrict the granting of remissions when required under the terms of a contract or gift, or when such remissions are reimbursed as an indirect cost.

SECTION 195p. 20.285 (2) (f) and (g) of the statutes are repealed.

SECTION 195w. 20.285 (2) (h) of the statutes is created to read:

20.285 (2) (h) *University of Wisconsin center at Medford.* Of the amounts appropriated to the board of regents of the university of Wisconsin system under sub. (1) (a), the board of regents may pay to the Taylor county board of supervisors, for outstanding debt service costs on the university of Wisconsin center at Medford facilities, up to \$24,500 annually until the facilities are sold or an alternative use for the facilities is found. Payments shall be made on a schedule and in the manner the board determines. If the facilities are sold or an alternative use for the facilities is found, the Taylor county board of supervisors shall repay to the state all amounts received under this paragraph.

SECTION 196b. 20.292 (1) (d) of the statutes is amended to read:

20.292 (1) (d) *State aid for vocational, technical and adult education.* The amounts in the schedule for state aids for districts and schools of vocational, technical and adult education, including area schools and programs established and maintained under the supervision of the board to be distributed under s. 38.28. Of the amount in the schedule for each year not exceeding \$50,000 may be spent by the board to match federal funds made available for vocational, technical and adult education by any act of congress for the purposes set forth in such act. Of the amounts in the schedule, \$25,800 annually shall be distributed under s. 38.28 for apprenticeship curriculum development. If, in any fiscal year, actual program fees raised under s. 38.24 (1) exceed board estimates, the increase shall be used to offset actual district aidable cost.

SECTION 196f. 20.292 (1) (g) of the statutes is amended to read:

20.292 (1) (g) *Text materials.* The amounts in the schedule for the preparation, publication and distribution of text material. All moneys received from vocational, technical and adult education district boards ~~for the preparation, publication and distribution of text material~~ shall be credited to this appropriation.

SECTION 196h. 20.292 (1) (j) of the statutes is amended to read:

20.292 (1) (j) *Personnel certification.* The amounts in the schedule for determining the qualifications of district educational personnel. All moneys received from district boards under s. 38.04 (4) (a) ~~to be used for determining the qualifications of district educational personnel~~ shall be credited to this appropriation.

SECTION 196m. 20.292 (1) (ka) of the statutes is amended to read:

20.292 (1) (ka) *Interagency projects; local assistance.* ~~All moneys received from state agencies~~ The amounts in the schedule to be expended as local assistance in conformity with the purposes and requirements agreed to by the board. All moneys received from state agencies for local assistance shall be credited to this appropriation.

SECTION 196t. 20.292 (1) (kb) of the statutes is amended to read:

20.292 (1) (kb) *Interagency projects; state operations.* ~~All moneys received from state agencies~~ The amounts in the schedule to be expended for state operations in conformity with the purposes and requirements agreed to by the board. All money received from state agencies for state operations shall be credited to this appropriation.

SECTION 196v. 20.292 (2) (g) of the statutes is amended to read:

20.292 (2) (g) *Proprietary school permits.* The amounts in the schedule for the examination and approval of proprietary school programs. All moneys received from the issuance of solicitor's permits under s. 38.51 (8) and proprietary school application fees under s. 38.51 (10) ~~to be used for the examination and approval of proprietary school programs~~ shall be credited to this appropriation.

SECTION 197b. 20.370 (1) (ea) of the statutes, as affected by chapter 1, laws of 1981, is amended to read:

20.370 (1) (ea) *Parks — general program operations.* From moneys allocated under sub. (7) (aa), the amounts in the schedule equivalent to the portion of the appropriation under par. (mu) appropriated for the operation of the state parks and state recreation areas under s. 23.091 and ch. 27 less ~~\$2,000~~ \$222,400 in fiscal year ~~1980-81~~ 1981-82 and \$231,300 in fiscal year 1982-83 and the remainder of the amounts in the schedule for the operation of the Olympic ice rink under s. 23.35.

~~SECTION 197e. 20.370 (1) (gg) of the statutes is created to read:~~

~~20.370 (1) (gg) *Wisconsin civilian conservation corps — other funds.* The amounts in the schedule for the operation of the Wisconsin civilian conservation corps program under s. 23.48. All moneys received from agreements entered into under s. 23.48 (4) (h) 2 shall be deposited in a separate account.~~

~~SECTION 197m. 20.370 (1) (gr) of the statutes is created to read:~~

~~20.370 (1) (gr) *Wisconsin civilian conservation corps — state funds.* Biennially, the amounts in the schedule for Wisconsin civilian conservation corps work activities on public forested land under s. 23.48.~~

~~SECTION 197s. 20.370 (1) (gy) of the statutes is created to read:~~

~~20.370 (1) (gy) *Wisconsin civilian conservation corps — federal funds.* All moneys received from the federal government under agreements entered into under s. 23.48 (4) (h) 3 for the purpose of the Wisconsin civilian conservation corps program under s. 23.48.~~

SECTION 198. 20.370 (1) (ka) of the statutes is repealed.

SECTION 199m. 20.370 (1) (kc) of the statutes is amended to read:

Vetoed  
in Part

20.370 (1) (kc) *Resource acquisition and development — principal repayment and interest.* From moneys allocated under sub. (7) (aa), a sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development ~~or~~, enlargement or improvement of state recreation facilities under s. 20.866 (2) (tp), (tr) and (ts) but not including payments made under sub. (4) (jb). This appropriation and sub. (4) (jb) have priority over all other allocations made from sub. (7) (aa) and the other allocations shall be prorated if necessary, to meet the requirements of this paragraph.

SECTION 201. 20.370 (1) (ke) of the statutes is repealed.

SECTION 202m. 20.370 (1) (kq) of the statutes is amended to read:

20.370 (1) (kq) *Resource acquisition and development — taxes and assessments.* ~~A sum sufficient~~ Biennially, the amounts in the schedule to pay taxes and assessments that are or may become a lien on property acquired prior to date of conveyance to the state.

SECTION 202p. 20.370 (1) (kr) of the statutes is created to read:

20.370 (1) (kr) *Resource acquisition and development — principal repayment and interest.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction, development, enlargement or improvement of recreation facilities under s. 20.866 (2) (tu).

SECTION 203. 20.370 (2) (ac) of the statutes is renumbered 20.370 (2) (cc), and 20.370 (2) (cc) (title), as renumbered, is amended to read:

20.370 (2) (cc) (title) *Solid waste management — initial funding of hazardous substances spill fund.*

SECTION 204. 20.370 (2) (ah) of the statutes is renumbered 20.370 (2) (cj), and 20.370 (2) (cj) (title), as renumbered, is amended to read:

20.370 (2) (cj) (title) *Solid waste management — hazardous substances spill fund, state funds.*

SECTION 205. 20.370 (2) (am) of the statutes is renumbered 20.370 (2) (cm), and 20.370 (2) (cm) (title), as renumbered, is amended to read:

20.370 (2) (cm) (title) *Solid waste management — hazardous substances spill fund, federal funds.*

SECTION 205m. 20.370 (2) (cg) of the statutes is amended to read:

20.370 (2) (cg) *Solid waste management — solid and hazardous waste disposal administration.* The amounts in the schedule for the purpose of administering ss. 144.44 and 144.64. All moneys received from fees under ss. 144.44 (5) and 144.64 (5), ~~for the purpose of administering ss. 144.44 and 144.64~~ shall be credited to this appropriation.

SECTION 206m. 20.370 (2) (dq) of the statutes is created to read:

20.370 (2) (dq) *Air management — motor vehicle emission inspection and maintenance program, state funds.* From the transportation fund, the amounts in the schedule for the administration of the motor vehicle emission inspection and maintenance program under s. 144.42.

SECTION 207. 20.370 (3) (bg) of the statutes is renumbered 20.370 (2) (ch) and amended to read:

20.370 (2) (ch) (title) *Solid waste management — mining regulation and administration.* ~~All moneys received from fees collected by the department under ss. 144.80 to 144.94~~ The amounts in the schedule for the administration, regulation and enforcement of exploration, prospecting, mining and mine reclamation activities under those sections ss. 144.80 to 144.94. All moneys received under ss. 144.80 to 144.94 shall be credited to this appropriation.

SECTION 209. 20.370 (4) (ar) of the statutes is amended to read:

20.370 (4) (ar) *Resource aids — county forests and forest croplands aids.* ~~A sum sufficient~~ Biennially, the amounts in the schedule to pay county forest aids under s. 28.11 (8) and forest croplands aids under ch. 77.

SECTION 209m. 20.370 (4) (at) of the statutes is created to read:

20.370 (4) (at) *Resource aids — state park and forest road aids.* From the transportation fund, the amounts in the schedule for state park and forest road aids to towns and counties under s. 23.09 (27).

SECTION 210. 20.370 (4) (ba) of the statutes is repealed.

SECTION 211. 20.370 (4) (bc) of the statutes is repealed.

SECTION 212. 20.370 (4) (be) of the statutes is renumbered 20.370 (4) (bq) and amended to read:

20.370 (4) (bq) *Recreation aids — fish, wildlife and forestry recreation aids.* ~~From moneys allocated under sub. (7) (aa), the~~ The amounts in the schedule for wildlife habitat development and planning on county forest lands, and recreational development on county forest lands under s. 23.09 (11).

SECTION 213. 20.370 (4) (br) of the statutes is repealed.

SECTION 214. 20.370 (4) (bv) of the statutes is amended to read:

20.370 (4) (bv) *Recreation aids — motorcycle recreation aids.* ~~Biennially, from the conservation fund,~~ the amounts in the schedule to provide aid to municipalities for the acquisition ~~and, development, operation and maintenance~~ of off-the-road motorcycle and ~~motor driven~~ motor-driven cycle trails and facilities under s. 23.09 (25).

SECTION 215. 20.370 (4) (bx) (title) of the statutes is amended to read:

20.370 (4) (bx) (title) *Recreation and resource aids, federal funds.*

SECTION 215m. 20.370 (4) (ca) of the statutes is created to read:

20.370 (4) (ca) *Environmental aids — nonpoint source pollution abatement grants; supplemental funds.* From the general fund, as a continuing appropriation, the amounts in the schedule equivalent to the appropriation under par. (kd) for nonpoint source water pollution abatement grants under s. 144.25.

SECTION 219m. 20.370 (4) (ea) of the statutes is amended to read:

20.370 (4) (ea) *Aids in lieu of taxes.* From moneys allocated under sub. (7) (aa), a sum sufficient to pay aids to municipalities for state ~~forest lands and hunting and fishing grounds~~ under s. 70.113.

SECTION 220m. 20.370 (4) (eq) of the statutes is amended to read:

20.370 (4) (eq) *Aids in lieu of taxes.* A sum sufficient to pay aids to municipalities for state ~~forest lands and hunting and fishing grounds~~ under s. 70.113.

SECTION 221m. 20.370 (4) (hq) of the statutes is created to read:

20.370 (4) (hq) *Youth camps and work projects — state lands.* The amounts in the schedule for the operation of youth conservation camps under s. 23.09 (23) and for conservation work projects under s. 23.09 (22).

SECTION 222. 20.370 (4) (ib) of the statutes is repealed.

SECTION 223. 20.370 (4) (ic) of the statutes is amended to read:

20.370 (4) (ic) *Aids administration — local park aids.* From moneys allocated under sub. (7) (aa), the amounts in the schedule for administration of the program under ~~par. (ba) and~~ s. 23.09 (20), 1979 stats. No money may be appropriated under this paragraph after June 30, 1983.

SECTION 224. 20.370 (4) (ic) of the statutes, as affected by chapter .... (this act), laws of 1981, is repealed.



SECTION 229m. 20.370 (4) (kc) of the statutes, as created by chapter 1, laws of 1981, is amended to read:

20.370 (4) (kc) *Point source aids — pollution abatement grants; general fund.* As a continuing appropriation from the general fund, the amounts in the schedule for financial assistance under the point source water pollution abatement grant program for facility planning costs, ~~detail design and~~ other eligible costs under s. 144.24 which cannot be funded from bond revenues and, during fiscal year 1981-82, engineering design costs which do not exceed the amount of the unencumbered balance of the appropriation under this paragraph at the end of fiscal year 1980-81. Payments may be made from this appropriation for expenditures and for payments of encumbrances authorized for facility planning costs, ~~detail design and~~ other eligible costs under s. 144.24 which cannot be funded from bond revenues and engineering design costs regardless of when the encumbrances were incurred.

SECTION 229n. 20.370 (4) (kd) of the statutes is created to read:

20.370 (4) (kd) *Point source aids; combined sewer overflow — principal repayment and interest; pollution abatement bonds.* From the general fund, a sum sufficient to reimburse [s.] 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the construction of combined sewer overflow projects under s. 144.242.

SECTION 229p. 20.370 (7) (aa) of the statutes is amended to read:

20.370 (7) (aa) *General program operations.* Annually on each July 1, an amount equal to .0165% of the current equalized value of all taxable property in this state for an outdoor recreation program under s. 23.30 and to be allocated to the appropriations specified under subs. (1), (4) and (8) and s. 20.245 (1) (f). With the approval of the joint committee on finance ~~acting under s. 13.101,~~ the natural resources board may supplement the allocations specified under subs. (1), (4) and (8) and s. 20.245 (1) (f) from the unallocated appropriation under this paragraph. Any unencumbered balance of the annual appropriations made for programs under this paragraph shall revert to the general fund at the end of each fiscal year. Any unencumbered balance of the biennial appropriations made for programs under this paragraph shall revert to the general fund at the end of the last fiscal year of the biennium.

SECTION 230. 20.370 (8) (iq) of the statutes is amended to read:

20.370 (8) (iq) *Natural resources magazine.* All moneys received from subscriptions and other fees revenues collected by the department under s. 29.21, to be used to publish "Wisconsin natural resources".

SECTION 232. 20.370 (8) (Ld) of the statutes is amended to read:

20.370 (8) (Ld) (title) *Administrative facilities — acquisition, development and improvement.* Biennially As a continuing appropriation, from the general fund the amounts in the schedule for the acquisition, development and construction costs of new structures and buildings and for the improvement costs of existing structures and buildings under the control of the department.

SECTION 234. 20.370 (8) (Lt) of the statutes is amended to read:

20.370 (8) (Lt) (title) *Administrative facilities — acquisition, development and improvement.* Biennially As a continuing appropriation, the amounts in the schedule for the acquisition, development and construction costs of new structures and buildings and for the improvement costs of existing structures and buildings under the control of the department.

SECTION 235. 20.370 (9) (ms) of the statutes is amended to read:

20.370 (9) (ms) *Imprest petty cash fund.* An imprest fund of ~~\$100,000~~ \$200,000 from the conservation fund may be established for the purpose of law enforcement, for tree cone and seed purchases and, for petty cash and, for the payment of purchase orders

under s. 16.52 (6) (a) and for the payment of local purchases authorized under s. 16.52 (6) (b). The operation and maintenance of the fund ~~and the character of expenditures from the fund~~ shall be pursuant to rules prescribed by the department of administration. The rules for payment of purchase orders and local purchases authorized under s. 16.52 (6) (a) and (b) shall be in general conformity to s. 20.920 (2) (a) relating to contingent funds of institutions except that the amount authorized for an invoice for the department of natural resources may not exceed ~~\$150~~ \$500.

SECTION 236. 20.370 (9) (vv) of the statutes is repealed.

SECTION 236m. 20.370 (9) (yy) of the statutes is amended to read:

20.370 (9) (yy) *Revenues and appropriations*. All moneys received pursuant to the operation of programs under subs. (1), (3) and (4) shall be credited to the program which generated them. Revenues which are assigned by law to a particular purpose shall be credited to and may be expended for that purpose. Unassigned revenue shall be credited to the general purpose segregated revenue of the proper program, but the expenditure from such revenue shall be limited to the appropriation of general purpose segregated revenue appearing in the schedule. Whenever the estimated unassigned revenues and available unassigned revenue appropriation balances are insufficient to cover the appropriations of general purpose segregated revenue under each program, the department shall so inform the department of administration and shall indicate the amounts which should be deducted from respective unassigned revenue appropriations to bring the appropriated amounts into agreement with the money available, and the department of administration shall adjust its records accordingly. Actual unassigned revenues in excess of estimated unassigned revenues appropriated may not be spent unless released by the joint committee on finance ~~acting under s. 13.101~~.

SECTION 238. 20.395 (1) (ar) of the statutes is amended to read:

20.395 (1) (ar) *Transportation aids, hold harmless, state funds*. ~~A sum sufficient~~ The amounts in the schedule to pay counties and municipalities the amount by which the base year distribution exceeds the new formula amount under s. 86.30 (4).

SECTION 239. 20.395 (1) (as) (title) of the statutes is amended to read:

20.395 (1) (as) (title) *Connecting highways aids, state funds*.

SECTION 240. 20.395 (1) (at) of the statutes is amended to read:

20.395 (1) (at) (title) *Flood damage aids, state funds*. The amounts in the schedule to make payments under ~~ss. 86.315 and s. 86.34, and to pay an amount equal to \$25 of each fee under s. 218.22 (1) and (2) to the city, village or town in which the motor vehicle salvage dealer is located~~.

SECTION 241. 20.395 (1) (au) of the statutes is amended to read:

20.395 (1) (au) (title) *Lift bridge aids, state funds*. The amounts in the schedule to make payments for ~~swing and~~ lift bridges on connecting highways for purposes of s. 86.32 (2).

SECTION 241m. 20.395 (1) (av) of the statutes is created to read:

20.395 (1) (av) *Transportation aids supplement, state funds*. Biennially, the amounts in the schedule for the supplement of transportation aids under chapter .... (this act), laws of 1981, section 2051 (13).

SECTION 242. 20.395 (1) (bq) of the statutes is amended to read:

20.395 (1) (bq) (title) *Transit operating aids, state funds*. The amounts in the schedule for the mass transit aid program under s. ~~85.05~~ 85.20 (4m) (a).

SECTION 243. 20.395 (1) (br) of the statutes is renumbered 20.395 (1) (cq) and amended to read:

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20.395 (1) (cq) (title) *Elderly and handicapped capital aids, state funds.* The amounts in the schedule for specialized transportation capital assistance for the elderly and handicapped under s. 85.08 ~~(6)~~ 85.22.

SECTION 244m. 20.395 (1) (bs) of the statutes is repealed.

SECTION 245. 20.395 (1) (bt) of the statutes is renumbered 20.395 (1) (cr).

SECTION 246. 20.395 (1) (bu) of the statutes is repealed.

SECTION 247. 20.395 (1) (bw) of the statutes is renumbered 20.395 (1) (cv).

SECTION 248. 20.395 (1) (by) of the statutes is renumbered 20.395 (1) (cx).

SECTION 249. 20.395 (1) (cx) of the statutes is renumbered 20.395 (1) (ex).

SECTION 250. 20.395 (1) (cy) of the statutes is renumbered 20.395 (1) (ey).

SECTION 251. 20.395 (1) (dq) of the statutes is repealed.

SECTION 253. 20.395 (1) (hq) of the statutes is created to read:

20.395 (1) (hq) *Harbor assistance aids, state funds.* As a continuing appropriation, the amounts in the schedule for harbor assistance aids under s. 85.095 (2) (a).

SECTION 254. 20.395 (2) (title) and (aq) of the statutes are amended to read:

20.395 (2) (title) AIRPORT, RAILROAD AND HARBOR FACILITIES AND SERVICES.

(aq) (title) *Railroad service continuation, state funds.* The amounts in the schedule for rail ferry and rail commuter services transportation aids under s. 85.08 (4) and rail branch line operating assistance under s. 85.08 ~~(4m) (d)~~ and rail commuter services under chapter .... (this act), laws of 1981, section 2151 (1).

SECTION 255. 20.395 (2) (av) (title) and (ax) (title) of the statutes are amended to read:

20.395 (2) (av) (title) *Railroad service continuation, local funds.*

(ax) (title) *Railroad service continuation, federal funds.*

SECTION 256. 20.395 (2) (bq) of the statutes is renumbered 20.395 (1) (fq) and amended to read:

20.395 (1) (fq) (title) *Railroad crossing protection aids, state funds.* Biennially, the amounts in the schedule to pay the costs of crossing protection under s. 195.28 (3).

SECTION 257. 20.395 (2) (br) of the statutes is renumbered 20.395 (1) (fr), and 20.395 (1) (fr) (title), as renumbered, is amended to read:

20.395 (1) (fr) (title) *Railroad crossing repair aids, state funds.*

SECTION 258. 20.395 (2) (bx) of the statutes is renumbered 20.395 (4) (bx), and 20.395 (4) (bx) (title), as renumbered, is amended to read:

20.395 (4) (bx) (title) *Railroad crossing improvement, federal funds.*

SECTION 259. 20.395 (2) (cq) of the statutes is renumbered 20.395 (2) (bq) and amended to read:

**Vetoed in Part** 20.395 (2) (bq) (title) ~~Rail car ferry assistance, railroad facilities acquisition and railroad rehabilitation, state funds.~~ As a continuing appropriation, the amounts in the schedule for rail car ferry grants under s. 85.08 ~~(4)~~ for railroad abandoned property and improvements acquisition under s. 85.09 and to make, for grants under s. 85.08 (4m) ~~(f)~~ (c) and (d), for capital advances under s. 85.08 (4m) (e) and for loans under s. 85.08 (4m) (f). The amounts expended for loans under s. 85.08 (4m) (f) may not exceed \$300,000 annually. ~~The amount expended for capital advances under s. 85.08 (4m) (e) may not exceed \$2,000,000 plus the amount under chapter .... (this act), laws of 1981, section 2151 (2) in the 1981-83 biennium, and \$2,000,000 biennially thereafter. During~~

**Vetoed in Part**

~~the 1981-83 biennium, the department may expend up to \$500,000 of the amount appropriated under this paragraph for the purpose of providing grants for the continued operation of the Lake Michigan rail car ferry services.~~ Vetoed in Part

SECTION 260. 20.395 (2) (cv) of the statutes is renumbered 20.395 (2) (bv) and amended to read:

20.395 (2) (bv) (title) *Railroad facilities acquisition and railroad rehabilitation, local funds*. All moneys received from any local unit of government or other sources for the purposes of railroad abandoned property and improvements acquisition under s. 85.09, for grants under s. 85.08 (4m) (c), for railroad property improvement grants under s. 85.08 (4m) (d) and for rail capital advances under s. 85.08 (4m) (e), for such purposes.

SECTION 261. 20.395 (2) (cx) of the statutes is renumbered 20.395 (2) (bx) and amended to read:

20.395 (2) (bx) (title) *Railroad facilities acquisition and railroad rehabilitation, federal funds*. All moneys received from the federal government for the purposes of railroad abandoned property and improvements acquisition under s. 85.09, for grants under s. 85.08 (4m) (c), for railroad property improvement grants under s. 85.08 (4m) (d) and for rail capital advances under s. 85.08 (4m) (e), for such purposes.

SECTION 262. 20.395 (2) (dq) of the statutes is repealed.

SECTION 263. 20.395 (2) (dv) of the statutes is repealed.

SECTION 264. 20.395 (2) (dx) of the statutes is repealed.

SECTION 265. 20.395 (2) (eq) of the statutes is repealed.

SECTION 266. 20.395 (2) (ev) of the statutes is repealed.

SECTION 267. 20.395 (2) (ex) of the statutes is repealed.

SECTION 268. 20.395 (2) (fq) of the statutes is renumbered 20.395 (2) (dq).

SECTION 269. 20.395 (2) (fv) of the statutes is renumbered 20.395 (2) (dv) and amended to read:

20.395 (2) (dv) *Local airport development, local funds*. All moneys received by the state from any local unit of government or other source for airports or other aeronautical activities under s. 114.33 or 114.37, for such purposes.

SECTION 270. 20.395 (2) (fx) of the statutes is renumbered 20.395 (2) (dx).

SECTION 271. 20.395 (3) (eq) of the statutes is amended to read:

20.395 (3) (eq) (title) *Highway maintenance and repair, state funds*. Biennially, the amounts in the schedule for the maintenance, and repair and operations under ss. 84.04, 84.07 and 84.10, except for highway winter maintenance and highway traffic operations.

SECTION 272. 20.395 (3) (ev) of the statutes is amended to read:

20.395 (3) (ev) (title) *Highway maintenance and repair, local funds*. All moneys received from any local unit of government or other source for the maintenance, and repair and operations under ss. 84.04, 84.07 and 84.10, except for highway winter maintenance and highway traffic operations, for such purposes.

SECTION 273. 20.395 (3) (ex) of the statutes is amended to read:

20.395 (3) (ex) (title) *Highway maintenance and repair, federal funds*. All moneys received from the federal government for maintenance, and repair and operations under ss. 84.04, 84.07 and 84.10, except for highway winter maintenance and highway traffic operations, for such purposes.

SECTION 274. 20.395 (3) (fq) of the statutes is amended to read:

20.395 (3) (fq) *Highway winter maintenance, state funds.* ~~A sum sufficient~~ Biennially, the amounts in the schedule for the purpose of removing and controlling snow and ice on state trunk highways under s. 84.07.

SECTION 275. 20.395 (3) (gq) of the statutes is repealed.

SECTION 276. 20.395 (3) (hq) of the statutes is renumbered 20.395 (4) (cq).

SECTION 277. 20.395 (3) (hq) of the statutes is created to read:

20.395 (3) (hq) *Highway traffic operations, state funds.* Biennially, the amounts in the schedule for highway operations such as pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07 and 84.10.

SECTION 278. 20.395 (3) (hv) of the statutes is created to read:

20.395 (3) (hv) *Highway traffic operations, local funds.* All moneys received from any local unit of government or other sources for highway operations such as pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07 and 84.10, for such purposes.

SECTION 279. 20.395 (3) (hx) of the statutes is created to read:

20.395 (3) (hx) *Highway traffic operations, federal funds.* All moneys received from the federal government for highway operations such as pavement marking, highway signing, traffic signalization and highway lighting under ss. 84.04, 84.07 and 84.10, for such purposes.

SECTION 280. 20.395 (4) (aq) of the statutes is repealed and recreated to read:

20.395 (4) (aq) *Local bridge improvements, state funds.* As a continuing appropriation, the amounts in the schedule for bridge development, construction and rehabilitation under s. 84.18 and for the development and construction of bridges under ss. 84.11, 84.12 and 84.17, except that no more than \$200,000 annually may be expended for the development and construction of bridges under ss. 84.11, 84.12 and 84.17.

SECTION 281. 20.395 (4) (av) of the statutes is amended to read:

20.395 (4) (av) *Local highways and bridge improvements, local funds.* All moneys received from any local unit of government or other source for improving bridges under ss. 84.11, 84.12 and 84.17 and for improving highways that are not state trunk or connecting highways, for such purposes.

SECTION 282. 20.395 (4) (ax) of the statutes is amended to read:

20.395 (4) (ax) *Local highways and bridge improvements, federal funds.* All moneys received from the federal government for improving bridges under ss. 84.11, 84.12 and 84.17 and for improving highways that are not state trunk or connecting highways, for such purposes.

SECTION 283. 20.395 (4) (bq) of the statutes is created to read:

20.395 (4) (bq) *Railroad crossing improvement, state funds.* Biennially, the amounts in the schedule to pay the costs for railroad crossing protection improvements under s. 195.28 (2).

SECTION 284. 20.395 (4) (bv) of the statutes is created to read:

20.395 (4) (bv) *Railroad crossing improvement, local funds.* All moneys received from any local unit of government for railroad crossing protection improvements under s. 195.28 (2), for such purposes.

SECTION 284m. 20.395 (4) (dq) of the statutes is created to read:

**Vetoed  
in Part** 20.395 (4) (dq) *Memorial street bridge reimbursement, state funds.* As a continuing appropriation, the amounts in the schedule for the Memorial street bridge reimbursement under s. 86.35.

SECTION 285. 20.395 (5) (bq) of the statutes is amended to read:

20.395 (5) (bq) *Facilities and services management, state funds.* The amounts in the schedule for the administration and management of departmental programs under subs. (1) to (4) and the ~~mass transit planning and technical assistance program under s. 85.06~~ ride-sharing program under s. 85.24.

SECTION 286. 20.395 (5) (bv) of the statutes is amended to read:

20.395 (5) (bv) *Facilities and services management, local funds.* All moneys received from any local unit of government or other source for the administration and management of departmental programs under subs. (1) to (4) and the ~~mass transit planning and technical assistance program under s. 85.06~~ ride-sharing program under s. 85.24, for such purposes.

SECTION 287. 20.395 (5) (bx) of the statutes is amended to read:

20.395 (5) (bx) *Facilities and services management, federal funds.* All moneys received from the federal government for the administration and management of departmental programs under subs. (1) to (4) and the ~~mass transit planning and technical assistance program under s. 85.06~~ ride-sharing program under s. 85.24, for such purposes.

SECTION 287m. 20.395 (5) (ch) of the statutes is created to read:

20.395 (5) (ch) *Registration and licensing, drivers, state funds.* The amounts in the schedule for the vehicle registration and driver licensing program costs associated with services for drivers, including \$400,000 in fiscal year 1981-82 for the purchase of not more than 100 intoximeters. All moneys transferred from s. 20.435 (2) (hx) shall be credited to this appropriation, except that the unencumbered balance on June 30 of each year shall revert to the appropriation under s. 20.435 (2) (hx).

SECTION 288. 20.395 (5) (cq) of the statutes is amended to read:

20.395 (5) (cq) *Vehicle registration and driver licensing, state funds.* The amounts in the schedule for administering the vehicle registration and driver licensing program, ~~for making payments to county registers of deeds as provided in s. 342.14 (6)~~ and to compensate for services performed, as determined by the secretary of transportation, by any county providing registration services. Of the amount appropriated under this paragraph, the department may maintain a contingent fund, not to exceed \$5,000, for establishing change funds in the amount deemed necessary by the department.

~~SECTION 289m. 20.395 (5) (dq) of the statutes is amended to read:~~

~~20.395 (5) (dq) *Vehicle inspection and traffic enforcement, state funds.* The amounts in the schedule for administering the ambulance inspection program under s. 341.085 and the vehicle inspection and traffic enforcement programs, including \$480,000 no more than \$950,000 to reimburse any county policing expressways under s. 59.965 (10) (b) for up to 25% of the cost incurred in policing expressways.~~

Vetoed  
in Part

SECTION 290. 20.395 (5) (fq) of the statutes is renumbered 20.395 (5) (cg) and amended to read:

20.395 (5) (cg) (title) *Traffic violation and registration program.* ~~As a continuing appropriation, the~~ From the general fund, the amounts in the schedule for the traffic violation and registration program under ss. 341.08 (4m), 341.10 (7) and 345.47 (1) (d). All moneys received from local units of government and other sources shall be credited to this appropriation.

SECTION 291. 20.395 (5) (gq) of the statutes is created to read:

20.395 (5) (gq) *Motor-driven cycle, moped and motor bicycle safety program.* The amounts in the schedule for administering the motor-driven cycle, moped and bicycle safety program under s. 85.30.

SECTION 291g. 20.395 (5) (hq) of the statutes is created to read:

20.395 (5) (hq) *Motor vehicle emission inspection and maintenance program; contractor costs; state funds.* The amounts in the schedule to provide for contracts for the operation of inspection stations under s. 110.20.

SECTION 291r. 20.395 (5) (hr) of the statutes is created to read:

20.395 (5) (hr) *Motor vehicle emission inspection and maintenance program; administration; state funds.* The amounts in the schedule for the administration of the motor vehicle emission inspection and maintenance program under s. 110.20.

SECTION 292. 20.395 (6) (aq) of the statutes is amended to read:

20.395 (6) (aq) *Principal repayment and interest, transportation facilities, state funds.* A sum sufficient to reimburse s. 20.866 (1) (u) for the payment of principal and interest costs incurred in financing the acquisition, construction, development, enlargement or improvement of transportation facilities under ss. 84.51, 84.52 ~~and~~, 84.53 and 85.095.

SECTION 294. 20.395 (6) (as) of the statutes is repealed.

SECTION 295. 20.395 (7) (ax) of the statutes is created to read:

20.395 (7) (ax) *Transportation regulation and general program operations, federal funds.* All moneys received from the federal government for transportation regulation and general program operations of the transportation commission, for such purposes.

SECTION 296. 20.395 (9) (aq) of the statutes is repealed.

SECTION 297. 20.395 (9) (ar) (title) of the statutes is amended to read:

20.395 (9) (ar) (title) *Connecting highways, lift bridges and highway maintenance adjustments.*

~~SECTION 297m. 20.395 (9) (qd) of the statutes is amended to read:~~

Vetoed  
in Part

~~20.395 (9) (qd) (title) *Freeway land disposal reimbursement clearing account.* All moneys received from the disposition of interests in lands and property previously acquired and held in trust for the state for the Park West freeway development for the purpose of reimbursing federal and local governments for expenses incurred by them for such acquisition in accordance with the disposition plan made and approved under chapter 418, laws of 1977.~~

SECTION 298. 20.395 (9) (qh) of the statutes is amended to read:

20.395 (9) (qh) *Highways, bridges, rail and airport clearing account.* ~~A sum sufficient to make~~ All moneys received from appropriations under this section for the purpose of temporarily financing the initial payment of all expenditures which are ultimately chargeable to state or local highway or bridge appropriations or rail or airport appropriations. Payments made under this paragraph shall be properly allocated monthly by the department among the appropriations under subs. (2), (3) and (4), and appropriate transfers shall be made from those appropriations to this paragraph to fully reimburse this paragraph for initial payments paid from this paragraph.

SECTION 299. 20.395 (9) (qj) of the statutes is amended to read:

20.395 (9) (qj) *Highways and bridges, clearing account, federally funded positions.* ~~A sum sufficient to make~~ All moneys received from appropriations under this section for the purpose of temporarily financing the initial payment of all personnel expenditures funded with federal funds which are chargeable as enumerated under par. (qh).

SECTION 300. 20.395 (9) (td) of the statutes is amended to read:

20.395 (9) (td) (title) *Real estate major cost carryover.* When a highway, airport or railroad land acquisition project is approved by the secretary under s. 84.09, 85.09 or 114.33, the moneys allocated for the project from subs. (2) ~~(eq) and (fq)~~ (bq) and (dq), (3) (aq), (bq), (cq), (dq), (eq), (fq) and ~~(gq)~~ (hq) and (4) (aq) may be considered encumbered.

SECTION 300d. 20.425 (1) (g) of the statutes is amended to read:

20.425 (1) (g) *Publications.* The amounts in the schedule for the preparation of publications, reports and other copied material. All moneys received from the sale of publications, reports and other copied material, ~~for the preparation of such materials shall be credited to this appropriation.~~

SECTION 300g. 20.430 of the statutes is repealed.

SECTION 300r. 20.432 of the statutes is created to read:

**20.432 Board on aging and long-term care.** (1) IDENTIFICATION OF THE NEEDS OF THE AGED AND DISABLED. (a) *General program operations.* The amounts in the schedule for general program operations of the board on aging and long-term care.

(i) *Gifts and grants.* All moneys received from gifts, grants, bequests and devises for the activities of the board on aging and long-term care under s. 16.009, to carry out the purposes for which made and received.

(k) *Contracts with state agencies.* The amounts in the schedule for activities of the board on aging and long-term care under s. 16.009. All moneys received by the board on aging and long-term care from contracts with state agencies shall be credited to this appropriation.

(m) *Federal aid.* All federal moneys received as authorized under s. 16.54 for the activities of the board on aging and long-term care under s. 16.009, to carry out the purposes for which received.

SECTION 301. 20.435 (1) (b) of the statutes is amended to read:

20.435 (1) (b) *Medical assistance program benefits.* ~~A sum sufficient~~ The amounts in the schedule to provide the state share of medical assistance program benefits administered under s. 49.45.

SECTION 302. 20.435 (1) (bm) of the statutes is amended to read:

20.435 (1) (bm) *Medical assistance administration.* ~~A sum sufficient~~ The amounts in the schedule to provide the state share of administrative contract costs for the medical assistance program under s. 49.45. ~~This appropriation may not be used to fund contracts with state agencies.~~ No state positions may be funded in the department of health and social services from this appropriation.

SECTION 303. 20.435 (1) (c) of the statutes is repealed.

SECTION 304. 20.435 (1) (d) of the statutes is amended to read:

20.435 (1) (d) *Nursing home appeals mechanism.* The Biennially, the amounts in the schedule for the execution of functions under s. 49.45 (6m) (e).

SECTION 306. 20.435 (1) (e) of the statutes is repealed and recreated to read:

20.435 (1) (e) *Disease aids.* Biennially, the amounts in the schedule for assisting victims of diseases, as provided in ss. 49.48, 49.485, 58.06, 149.04 and 149.06 (6) and (7).

SECTION 307. 20.435 (1) (f) of the statutes is created to read:

20.435 (1) (f) *Family planning.* The amounts in the schedule to provide family planning services under s. 146.80.

SECTION 308. 20.435 (1) (fm) of the statutes is repealed.

SECTION 309. 20.435 (1) (fn) of the statutes is repealed.

SECTION 310. 20.435 (1) (gm) of the statutes is amended to read:

20.435 (1) (gm) *Licensing activities.* The amounts in the schedule for the purposes specified in ch. 69 and ss. 50.50 to 50.85, 140.05 (17), 140.45 (6) and 143.15 (7). All moneys received under ch. 69 and ss. 50.50 to 50.85, 140.05 (17), 140.45 (6) and 143.15



(7) to be used for the purposes specified in such provisions shall be credited to this appropriation.

SECTION 310d. 20.435 (1) (h) of the statutes is amended to read:

20.435 (1) (h) *Radiation monitoring.* The amounts in the schedule for radiation monitoring under s. 140.61. All moneys received from the fees charged nuclear power plants under s. 140.61, to be used for radiation monitoring under that section shall be credited to this appropriation.

SECTION 310m. 20.435 (1) (j) of the statutes is amended to read:

20.435 (1) (j) *Fees for services and supplies.* All moneys received under ss. 50.02 (2), 50.025, 50.36 (2) and 150.12, from fees, under s. 140.54, and as reimbursement for medical supplies to be used. The amounts in the schedule for the purposes provided in ss. 50.02 (2), 50.025, 50.36 (2) and 150.01 to 150.09 and to conduct health facility plan and rule development activities, for accrediting nursing homes, convalescent homes and homes for the aged, for the administration of ss. 140.50 to 140.60, and for the purchase and distribution of the medical supplies. All moneys received under ss. 50.02 (2), 50.025, 50.36 (2) and 150.12, from fees under s. 140.54 and as reimbursement for medical supplies shall be credited to this appropriation.

SECTION 310p. 20.435 (1) (km) of the statutes is amended to read:

20.435 (1) (km) *Internal services.* The amounts in the schedule for clerical licensing operations and other similar services as are required. All moneys received from services rendered by the internal services unit to be expended for clerical licensing operations and other similar services as are required shall be credited to this appropriation.

SECTION 311. 20.435 (1) (o) of the statutes is amended to read:

20.435 (1) (o) *Federal aid; medical assistance.* All federal moneys received for meeting costs of medical assistance administered under s. 49.45, including the federal share of the cost of contracting for payment and services administration and reporting shall be paid from this appropriation.

SECTION 312. 20.435 (1) (p) of the statutes is created to read:

20.435 (1) (p) *Federal aid; medical assistance contracts administration.* All federal moneys received for the federal share of the cost of contracting for payment and services administration and reporting.

SECTION 312m. 20.435 (1) (r) of the statutes is amended to read:

20.435 (1) (r) *Agent orange victims.* From the veterans trust fund the amounts in the schedule to assist Vietnam veterans exposed to agent orange. The funds appropriated under this paragraph may not be expended until the joint committee on finance, acting under s. 13.101, approves a plan by the department of health and social services to assist Vietnam veterans exposed to agent orange.

SECTION 313. 20.435 (1) (r) of the statutes, as affected by chapter .... (this act), laws of 1981, is repealed.

SECTION 314. 20.435 (2) (b) of the statutes is amended to read:

20.435 (2) (b) (title) *Community social and mental hygiene services.* The amounts in the schedule for the provision or purchase of mental health services under ss. 51.42 and 51.437, for reimbursement for county administration of social services under ss. 46.22 (5m) and 49.51 (3) and (4), including foster care under ss. 49.19 (10) and 49.50 and services under s. 46.27, for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services under s. 48.06 (4), for shelter care under ss. 48.22 and 48.58 and for work incentive costs under s. 49.50. Social services disbursements under s. 46.03 (20) (b) may be made from this appropriation. Refunds received relating to payments made under s. 46.03 (20) (b) shall be returned to this

appropriation. Counties are liable for any share of the social services disbursements according to the rate established under s. 49.52. The receipt of the counties' payments for their share of the cost of services under s. 46.03 (20) (d) shall be returned to this appropriation. Allocation of the fund for mental health services shall be exclusively determined by the department of health and social services, subject to ss. 51.42 and 51.437. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer funds between fiscal years under this paragraph. ~~Beginning January 1, 1980, the~~ The amounts in the schedule shall be less all reimbursement amounts under 42 USC 1397 et seq., on July 29, 1979, allocated for community mental hygiene services, less federal child welfare funds under 42 USC 620 to 626, as designated under chapter .... (this act), laws of 1981, section 2020 (4) (d), and less all federal reimbursement amounts relating to providing care in foster homes, group homes or child care institutions allocated for county social services except if the reimbursement is conditioned upon expansion of a service or if the reimbursement is to be passed through to counties in accord with par. (o). The department may transfer between calendar years funds it recovers under ss. 49.52 (2) (b) and 51.42 (8m) from prior year audit adjustments. The department may also transfer between calendar years funds it allocates under ss. 49.52 (1) (d) or (e) and 51.42 (8) (b) and (d) but not spent or encumbered on or before December 31 of any year by counties or by boards created under s. 46.23, 51.42 or 51.437. The department may use the funds it transfers to pay counties owed funds for the purchase or provision of mental health services or social services, due to any prior year audit adjustment. The department may not transfer more than \$500,000 for these purposes. Ninety percent of funds not transferred between calendar years, allocated under s. 51.42 (8) (b) and (d) and not spent or encumbered by boards created under s. 46.23, 51.42 or 51.437 by December 31 of each year, and 90% of funds not transferred between calendar years, allocated under ss. 46.27 and 49.52 (1) (d) and (e) and not spent or encumbered by counties by December 31 of each year shall lapse to the general fund on the succeeding January 1 unless transferred to the next calendar year under s. 13.101. Beginning January 1, 1980, the by the joint committee on finance. The department may allocate the 10% not lapsing for emergencies, justifiable unit service costs above planned levels, to regional centers for the care of the chronically mentally ill and to recognize shifts in service populations among counties during the following calendar year.

SECTION 315. 20.435 (2) (bb) of the statutes is repealed.

SECTION 317. 20.435 (2) (c) of the statutes is repealed.

SECTION 318. 20.435 (2) (cc) of the statutes is amended to read:

20.435 (2) (cc) *Employment grants for developmentally disabled.* Biennially, the amounts in the schedule for pilot grants to ~~nonprofit~~ employment facilities for the employment of developmentally disabled persons under s. 51.438.

SECTION 319. 20.435 (2) (cd) of the statutes is amended to read:

20.435 (2) (cd) *Community youth and family aids.* ~~Beginning January 1, 1980, the~~ The amounts in the schedule for the improvement and provision of juvenile delinquency-related services under s. 46.26 and for reimbursement to counties having a population of less than 500,000 for the cost of court attached intake services as provided in s. 48.06 (4), less all payments received for department juvenile correctional services under s. 46.26 (4) and less all federal moneys received under par. (oo) and, beginning January 1, 1983, less all federal moneys received under sub. (3) (o) and transferred to par. (hm). Disbursements may be made from this appropriation under s. 46.03 (20). Refunds received relating to payments made under s. 46.03 (20) shall be returned to this appropriation. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer moneys under this paragraph between fiscal years. All Ninety percent of all funds allocated under s. 46.26 (3) and not spent or encumbered by counties by December 31 of each year shall lapse into the general fund on the succeeding January 1 unless transferred to the next calendar year under s. 13.101 by the joint committee on

finance. Beginning January 1, 1982, the department may allocate the 10% not lapsing for emergencies and to recognize shifts in service populations among counties during each following calendar year.

SECTION 320. 20.435 (2) (d) of the statutes is repealed and recreated to read:

20.435 (2) (d) *Reimbursements to local units of government.* A sum sufficient for the cost of care as provided in s. 51.22 (3) and to transmit credit balances for central state hospital under s. 51.42 (9) (b).

SECTION 320m. 20.435 (2) (df) of the statutes is amended to read:

20.435 (2) (df) *Programs for senior citizens.* The amounts in the schedule for the programs for senior citizens, including but not limited to the purposes of ss. 46.80 (5) and (7) and 46.85. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department of health and social services may transfer funds between fiscal years under this paragraph. All funds allocated under ss. 46.80 (5) and (7) and 46.85 but not encumbered by December 31 of each year lapse to the general fund on the next January 1, unless transferred to the next calendar year ~~under s. 13.101~~ by the joint committee on finance. For the purposes of this paragraph, funds are encumbered by December 31 if allocated for services received or for goods ordered by December 31.

SECTION 321. 20.435 (2) (dL) of the statutes is created to read:

20.435 (2) (dL) *Indian aids.* The amounts in the schedule to facilitate delivery of social services and mental hygiene services to American Indians under s. 46.70. Notwithstanding ss. 20.001 (3) (a) and 20.002 (1), the department may transfer funds between fiscal years. All funds allocated under s. 46.70 but not spent or encumbered by December 31 of each year lapse to the general fund on the next January 1, unless transferred to the next calendar year by the joint committee on finance. For the purposes of this paragraph, funds are encumbered by December 31 if allocated for services received or for goods ordered by December 31.

SECTION 323. 20.435 (2) (e) of the statutes is amended to read:

20.435 (2) (e) *Aids for interest on county construction loans.* ~~A sum sufficient~~ The amounts in the schedule to provide aids to counties for interest payments on loans for construction of community mental health facilities, public medical institutions, residential care institutions, and intermediate care facilities for projects approved prior to July 1, 1973.

SECTION 326. 20.435 (2) (em) of the statutes is repealed.

SECTION 326m. 20.435 (2) (f) of the statutes is amended to read:

20.435 (2) (f) *Utilities and heating.* ~~See sub. (9) (f)~~ The amounts in the schedule to pay for the use of electricity and water and sewage service and to cover the cost of coal or other fuels used for space heating, including freight charges and local hauling charges where applicable. Coal or fuel oil purchases under this paragraph shall be purchased under s. 16.71. Payments for coal purchased under this paragraph shall be made as provided in s. 16.91.

SECTION 327. 20.435 (2) (fm) of the statutes is repealed.

SECTION 328. 20.435 (2) (gg) of the statutes is created to read:

20.435 (2) (gg) *Collection remittances to local units of government.* All moneys received on or after April 1, 1981, for the purposes of remitting departmental collections under s. 46.03 (18) (g) or 46.10 (8m) (b) and (c).

SECTION 329m. 20.435 (2) (hm) of the statutes is amended to read:

20.435 (2) (hm) *Community youth and family aids.* Commencing January 1, 1980, and ending December 31, 1982, all moneys received in payment for department juvenile correctional services under s. 46.26 (4). Commencing January 1, 1983, all moneys transferred from sub. (3) (o) for purposes of foster care and institutional child care to delinquent children. These amounts shall be credited to the appropriation under par. (cd) as specified in that paragraph.

SECTION 329p. 20.435 (2) (hx) of the statutes is created to read:

20.435 (2) (hx) *Services for drivers, receipts.* The amounts in the schedule for services for drivers. All moneys received from the driver improvement surcharge on court fines and forfeitures authorized under s. 346.655 shall be credited to this appropriation. These moneys may be transferred to pars. (hy) and (hz) and ss. 20.285 (2) (ia) and 20.395 (5) (ch) by the secretary of administration for expenditures based upon determinations by the department of health and social services and transportation and the university of Wisconsin system. Upon final determination by the secretary of administration, transfers shall be accomplished under s. 16.50.

SECTION 329q. 20.435 (2) (hy) of the statutes is created to read:

20.435 (2) (hy) *Services for drivers, local assistance.* The amounts in the schedule for the purpose of s. 51.42 for drivers referred through assessment, to be allocated according to a plan developed by the department of health and social services. All moneys transferred from par. (hx) shall be credited to this appropriation, except that the unencumbered balance on June 30 of each year shall revert to the appropriation under par. (hx).

SECTION 329r. 20.435 (2) (hz) of the statutes is created to read:

20.435 (2) (hz) *Services for drivers, state operations.* The amounts in the schedule to finance state operations associated with the administrative costs for services for drivers. All moneys transferred from par. (hx) shall be credited to this appropriation, except that the unencumbered balance on June 30 of each year shall revert to the appropriation under par. (hx).

SECTION 330. 20.435 (2) (jm) of the statutes is amended to read:

20.435 (2) (jm) (title) *Licensing fees, inspection fees and computer run charges.* The amounts in the schedule for the inspection of approved treatment facilities for prevention and control of alcoholism under s. 51.45 (8), for licensing community-based residential facilities under s. 140.85, for interpreter services for hearing impaired persons and for printed material and computer runs of the department's information systems. All moneys received from fees for inspection of approved treatment facilities for prevention and control of alcoholism under s. 51.45 (8) ~~to be expended for the purpose of making inspections required under that subsection, plus all moneys received as licensing fees charged to community-based residential facilities under s. 140.85 and all moneys received as fees charged for the provision of printed material, computer runs of the department's information systems and interpreter services for hearing impaired persons shall be credited to this appropriation.~~

SECTION 330m. 20.435 (2) (k) of the statutes is amended to read:

20.435 (2) (k) *Professional training.* The amounts in the schedule to be transferred to institutions of higher education for the purposes specified in the agreement between the department and the institutions. All moneys received from institutions of higher education for the purpose of matching federal funds made available for professional training and employe development, ~~to be transferred to such institutions of higher education to be expended for the purposes specified in the agreement between the department and such institutions shall be credited to this appropriation.~~

SECTION 331. 20.435 (2) (kk) of the statutes is renumbered 20.435 (2) (gk) and amended to read:

20.435 (2) (gk) *Institutional operations and charges.* ~~All moneys received as payments from medical assistance on and after August 1, 1978, as payments from all other sources including other payments under s. 46.10 and payments under s. 51.437 (12) (c) received on and after July 1, 1978, as medical assistance payments, other payments under s. 46.10 and payments under s. 51.42 (9) (b) received on and after January 1, 1979, and as payments for the rental of state institutional facilities, for the sale of utilities and for other services, products and care, to be used~~ The amounts in the schedule for care provided by the centers for the developmentally disabled to reimburse the cost of providing the services and to remit any credit balances to boards that occur on and after July 1, 1978, in accordance with s. 51.437 (12) (c), for care provided by the mental health institutes, to reimburse the cost of providing the services and to remit any credit balances to boards that occur on and after January 1, 1979, in accordance with s. 51.42 (9) (b), and to be used to reimburse for reimbursing the total cost of using, producing and providing services, products and care. All moneys received as payments from medical assistance on and after August 1, 1978, as payments from all other sources including other payments under s. 46.10 and payments under s. 51.437 (12) (c) received on and after July 1, 1978, as medical assistance payments, other payments under s. 46.10 and payments under s. 51.42 (9) (b) received on and after January 1, 1979, and as payments for the rental of state institutional facilities, for the sale of utilities and for other services, products and care shall be credited to this appropriation. Whenever the unencumbered balance of the portions of this appropriation pertaining to farm operations plus the portions of the appropriation under sub. (3) ~~(gm)~~ (kk) pertaining to farm operations totals \$200,000 on June 30 of any year, the excess shall revert to the general fund.

SECTION 331m. 20.435 (2) (km) of the statutes is amended to read:

20.435 (2) (km) *Services for children outside departmental custody.* The amounts in the schedule for the purpose of providing staff, staff support and resources for the provision of services to children not in the custody of the department. All moneys received, except payments made under s. 46.26 on and after January 1, 1980, from counties purchasing services or care or both from the department under s. 46.03 (17) (b) for children not in the custody of the department ~~for the purpose of providing staff, staff support and resources for the provision of services to these children~~ shall be credited to this appropriation.

SECTION 332. 20.435 (2) (n) of the statutes is amended to read:

20.435 (2) (n) *Federal aid programs.* See sub. (9) (n). Moneys received under 42 USC 620 to 626 are subject to s. 48.998.

SECTION 333. 20.435 (2) (o) of the statutes is amended to read:

20.435 (2) (o) *Federal aid; social and mental hygiene services.* ~~Prior to January 1, 1980, all federal moneys received from the provision or purchase of services as authorized under pars. (b) and (bb). Disbursements for social services under s. 46.03 (20) (b) may be made from this appropriation. Beginning January 1, 1980, All unspent funds from prior year federal day care awards and all federal child welfare services funds from 42 USC 620 to 626, as determined by the department, plus all federal moneys received for meeting costs of county administered social or mental hygiene services. Except for those federal moneys received that are conditioned upon expansion of a service or services which may be distributed or expended by the department as required, and except for federal moneys received as reimbursement for foster or institutional child care provided by counties at county expense outside of the approved plan and budget that may be passed through to the affected counties in amounts determined by the department, these amounts shall be credited to the appropriations~~ appropriation under par. (b) and ~~(bb)~~ in amounts pursuant to an allocation plan developed by the department.

SECTION 334. 20.435 (2) (oo) of the statutes is created to read:

20.435 (2) (oo) *Federal aid; community youth and family aids.* All federal moneys received as child welfare funds under 42 USC 620 to 626 as limited by s. 48.998 and all federal moneys received relating to providing care in foster homes, group homes or child caring institutions for the purposes of s. 46.26, and all other federal moneys received for meeting costs under s. 46.26. Except for those federal moneys received that are conditioned upon expansion of a service or services which may be distributed or expended by the department as required, these amounts shall be credited to the appropriation under par. (cd) in amounts pursuant to an allocation plan developed by the department.

SECTION 335. 20.435 (2) (p) of the statutes is amended to read:

20.435 (2) (p) *Federal aid; foster care.* All federal moneys received for meeting the costs of providing foster care and institutional child care under ss. 48.48 (4) and (14) and 48.52, and for the cost of care for children under s. 49.19 (10) (d). Disbursements for foster care under s. 46.03 (20) and for foster parent liability insurance under s. 48.627 may be made from this appropriation.

SECTION 335m. 20.435 (3) (a) of the statutes is amended to read:

20.435 (3) (a) *General program operations.* The amounts in the schedule to operate institutions and provide field services and administrative services, including an amount to supplement the appropriations made under par. (g). No payments may be made under this paragraph for payments in accordance with other states party to the interstate corrections compact under s. 53.25.

SECTION 335n. 20.435 (3) (ab) of the statutes is created to read:

20.435 (3) (ab) *Interstate corrections compact.* The amounts in the schedule for payments made in accordance with contracts entered into with other states party to the interstate corrections compact under s. 53.25, including payments in accordance with contracts entered into under s. 46.051.

SECTION 336. 20.435 (3) (am) of the statutes is created to read:

20.435 (3) (am) *Juvenile correctional services.* The amounts in the schedule for juvenile correctional services.

SECTION 339m. 20.435 (3) (f) of the statutes is amended to read:

20.435 (3) (f) *Utilities and heating.* ~~See sub. (9) (f)~~ The amounts in the schedule to pay for the use of electricity and water and sewage service and to cover the cost of coal or other fuels used for space heating, including freight charges and local hauling charges where applicable. Coal or fuel oil purchases under this paragraph shall be purchased under s. 16.71. Payments for coal purchased under this paragraph shall be made as provided in s. 16.91.

SECTION 339p. 20.435 (3) (g) of the statutes is amended to read:

20.435 (3) (g) *Probationer and parolee loan fund.* The amounts in the schedule for the purposes specified in ss. 46.07 (2) and 57.075. All moneys received belonging to absconding probationers and parolees under ss. 46.07 (2) and 57.075 and a supplemental amount from par. (a), ~~to be used for the purposes specified in ss. 46.07 (2) and 57.075~~ shall be credited to this appropriation.

SECTION 340. 20.435 (3) (hm) of the statutes is created to read:

20.435 (3) (hm) *Juvenile correctional services.* Except as provided in par. (ho), beginning January 1, 1983, the amounts in the schedule for juvenile correctional services specified in s. 46.26 (4) (d). All moneys received in payment for juvenile correctional services specified in s. 46.26 (4) (d) shall be credited to this appropriation. If the average daily juvenile correctional institution population is lower than 507 for fiscal year 1982-83, the department shall reduce its expenditures under this paragraph accordingly. If the average daily juvenile correctional institution population exceeds 507 for fiscal year 1982-83, the department may expend only the portion of additional revenue generated which is

needed to offset increased institutional costs and which is approved by the department of administration under s. 16.515 or the joint committee on finance under s. 13.101. If moneys generated by the monthly rate exceed actual institutional costs by less than 2% in a fiscal year, all those moneys shall revert to the general fund. If moneys generated by the monthly rate exceed actual institutional costs by 2% or more, all those moneys shall be remitted to the counties during the subsequent calendar year. Each county shall receive a proportionate share of the remittance depending on the total number of days of placement at juvenile correctional institutions. Counties shall use the funds for purposes specified in s. 46.26.

SECTION 341. 20.435 (3) (ho) of the statutes is created to read:

20.435 (3) (ho) *Foster care*. Beginning January 1, 1983, pursuant to s. 46.26 (4) (e) the amounts in the schedule for providing foster care and institutional child care to delinquent children under ss. 48.48 (4) and (14), 48.52 and 49.19 (10) (d). All moneys received in payment for providing foster care and institutional child care to delinquent children under ss. 48.48 (4) and (14), 48.52 and 49.19 (10) (d) shall be credited to this appropriation.

SECTION 342. 20.435 (3) (jp) of the statutes is created to read:

20.435 (3) (jp) *Correctional officer training*. The amounts in the schedule to finance correctional officers training under s. 46.057. All moneys transferred from s. 20.455 (2) (i) shall be credited to this appropriation.

SECTION 343. 20.435 (3) (kg) of the statutes is renumbered 20.435 (3) (h) and amended to read:

20.435 (3) (h) *Administration of restitution*. ~~All moneys received under s. 973.09 (1)~~ The amounts in the schedule for the administration of court-ordered restitution programs under s. 973.09. All moneys received under s. 973.09 (1) shall be credited to this appropriation.

SECTION 343m. 20.435 (3) (kk) of the statutes is amended to read:

20.435 (3) (kk) *Institutional operations and charges*. ~~All moneys received from the rental of state institutional facilities and the sale of other institutional services and products to be used to reimburse the costs of using, producing and providing the services and products. All moneys received from the sale of land~~ The amounts in the schedule for the use, production and provision of state institutional facilities, services and products and for the purchase of other institutional farm land, including buildings, and for the remodeling or construction of buildings. All moneys received from the rental of state institutional facilities and from the sale of other institutional services and products shall be credited to this appropriation. No expenditure may be made from this appropriation for the construction of buildings or purchase of equipment for new prison industries, except upon ~~certification~~ approval of the joint committee on finance, ~~acting under s. 13.101, after a determination~~ that the moneys are needed and that no other appropriation is available for that purpose. Whenever the unencumbered balances of the portions of this appropriation pertaining to farm operations plus the portions of appropriations under sub. (2) (gm) pertaining to farm operations exceed \$200,000 on June 30 of any year, the excess shall revert to the general fund. Whenever the unencumbered balance of the portion of this appropriation pertaining to prison industry operations exceeds \$500,000 on June 30 of any year, the excess shall revert to the general fund.

SECTION 343p. 20.435 (3) (o) of the statutes is amended to read:

20.435 (3) (o) *Federal aid; foster care*. All federal moneys received for meeting the costs of providing foster care and institutional child care to delinquent children under ss. 48.48 (4) and (14) and 48.52, and for the cost of care for children under s. 49.19 (10) (d). Beginning January 1, 1983, all moneys received under this section shall be transferred to the appropriation under sub. (2) (hm).

SECTION 344. 20.435 (4) (d) of the statutes is amended to read:

20.435 (4) (d) *Income maintenance payments.* A sum sufficient to provide state aid for county administered public assistance programs under s. 49.52 and the cost of foster care provided by nonlegally responsible relatives under state or county administered programs, if the relatives are licensed to operate foster homes under ss. 48.62 to 48.64. Disbursements for public assistance may be made directly from this appropriation including the state and county share under s. 46.03 (20) (a). Refunds received relating to payments made under s. 46.03 (20) (a) shall be returned to this appropriation. The receipt of the counties' payments for their share under s. 46.03 (20) shall be returned to this appropriation.

SECTION 345. 20.435 (4) (db) of the statutes is repealed.

SECTION 347. 20.435 (4) (dL) of the statutes is repealed.

~~SECTION 348m. 20.435 (4) (v) of the statutes is created to read:~~  
~~20.435 (4) (v) *Integrated oil company weatherization fund.* All moneys received from integrated oil company taxation payments under s. 20.855 (4) (s) for aid for weatherization for low-income and moderate-income persons.~~ Vetoed in Part

SECTION 349. 20.435 (5) (a) of the statutes is repealed and recreated to read:

20.435 (5) (a) *General program operations.* The amounts in the schedule for general program operations, including field services to clients and administrative services.

SECTION 350. 20.435 (5) (bm) of the statutes is repealed and recreated to read:

20.435 (5) (bm) *Purchased services for clients.* The amounts in the schedule for the purchase of goods and services authorized under ss. 47.05 and 47.40 and for vocational rehabilitation and other independent living services to handicapped persons.

SECTION 350d. 20.435 (5) (f) of the statutes is amended to read:

20.435 (5) (f) *Utilities and heating.* ~~See sub. (9) (f)~~ The amounts in the schedule to pay for the use of electricity and water and sewage service and to cover the cost of coal or other funds used for space heating, including freight charges and local hauling charges where applicable. Coal or fuel oil purchases under this paragraph shall be purchased under s. 16.71. Payments for coal purchased under this paragraph shall be made as provided in s. 16.91.

SECTION 350m. 20.435 (5) (jj) of the statutes is amended to read:

20.435 (5) (jj) *Workshop for the blind.* The amounts in the schedule for the operation of the workshop for the blind and the operation of business enterprises and home work under ss. 47.01 to 47.10. All moneys received from the sale of products through the workshop for the blind and the business enterprises program for the operation of the workshop or the operation of business enterprises and homework under ss. 47.01 to 47.10 shall be credited to this appropriation.

SECTION 351. 20.435 (7) (title) of the statutes is repealed.

SECTION 352. 20.435 (7) (e) of the statutes is renumbered 20.435 (4) (df).

SECTION 353. 20.435 (7) (ea) of the statutes is renumbered 20.435 (4) (dg).

SECTION 354. 20.435 (8) (c) of the statutes is renumbered 20.435 (2) (cb) and amended to read:

20.435 (2) (cb) *Domestic abuse grants.* The amounts in the schedule for the purposes of s. 46.95, except that the total expenditures under par. (h) (hh) and this paragraph shall not exceed \$1,000,000 in any fiscal year \$1,379,400 in fiscal year 1981-82 and \$1,423,100 in fiscal year 1982-83.

SECTION 354m. 20.435 (8) (f) of the statutes is amended to read:



20.435 (8) (f) *Utilities and heating.* ~~See sub. (9) (f)~~ The amounts in the schedule to pay for the use of electricity and water and sewage service and to cover the cost of coal or other fuels used for space heating, including freight charges and local hauling charges where applicable. Coal or fuel oil purchases under this paragraph shall be purchased under s. 16.71. Payments for coal purchased under this paragraph shall be made as provided in s. 16.91.

SECTION 355. 20.435 (8) (h) of the statutes is renumbered 20.435 (2) (hh) and amended to read:

20.435 (2) (hh) *Domestic abuse assessment.* The amounts in the schedule for the purposes of s. 46.95. All moneys received from the domestic abuse assessment surcharge on court fines, as authorized under s. 973.055, for the purposes of s. 46.95 shall be credited to this appropriation.

SECTION 355m. 20.435 (8) (k) of the statutes is amended to read:

20.435 (8) (k) *Administrative and support services.* The amounts in the schedule for administrative and support services and products. All moneys received as payment for administrative and support services and products to be used to meet costs associated with these services and products shall be credited to this appropriation.

SECTION 355p. 20.435 (9) (a) of the statutes is amended to read:

20.435 (9) (a) *Contingent funds.* Out of the appropriations for the operation of the several institutions and for child welfare and youth services there is allotted, subject to the approval of the joint committee on finance acting under s. 13.101, such sums, as are necessary as a contingent fund for the institutions and for payment of medical, clothing, school books and similar incidental needs for children in foster homes under the supervision of the department, such contingent funds to be administered as provided in s. 20.920.

SECTION 356b. 20.435 (9) (f) of the statutes is repealed.

SECTION 356m. 20.445 (1) (e) (title) of the statutes is amended to read:

20.445 (1) (e) (title) *Renewable energy resource system incentive.*

SECTION 361b. 20.445 (1) (h) of the statutes is amended to read:

20.445 (1) (h) *Local energy resource system fees.* ~~All moneys received under s. 101.175 (5)~~ The amounts in the schedule to cover the cost of the seal and the cost of examining systems under s. 101.175 (5). All moneys received under s. 101.175 (5) shall be credited to this appropriation.

SECTION 361d. 20.445 (1) (ha) of the statutes is created to read:

20.445 (1) (ha) *Worker's compensation operations.* The amounts in the schedule for the administration of the worker's compensation program by the department. As provided under s. 102.75 (4), this appropriation shall be financed from program revenues.

SECTION 361f. 20.445 (1) (i) of the statutes is amended to read:

20.445 (1) (i) *Plumbing regulation.* The amounts in the schedule for the purposes of ch. 145 and ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335. All moneys received under ch. 145 to be used for the purposes of that chapter plus all moneys received under and s. 236.12 (7) to be used for the purposes of ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335 and plus all moneys transferred from s. 20.435 (1) (gm) for fiscal year 1979-80 for the purposes of transferring administration of ch. 145 and of ss. 236.12 (2) (a), 236.13 (1) (d) and (2m) and 236.335 from the department of health and social services to the department of industry, labor and human relations shall be credited to this appropriation.

SECTION 361h. 20.445 (1) (ia) of the statutes is amended to read:

20.445 (1) (ia) *Electrical construction inspection fees.* The amounts in the schedule for the administration of subch. IV of ch. 101. All moneys received under subch. IV of ch. 101 ~~for the administration of that subchapter~~ shall be credited to this appropriation.

SECTION 361i. 20.445 (1) (j) of the statutes is amended to read:

20.445 (1) (j) *Safety and building operations.* The amounts in the schedule for the purposes of subchs. I, II and III of ch. 101 and ch. 168. All moneys received under ss. 101.19, 101.63 (9), 101.73 (12) and 168.12 ~~for the purposes of subchs. I, II and III of ch. 101 and ch. 168, respectively~~ shall be credited to this appropriation.

SECTION 362. 20.445 (1) (L) of the statutes is created to read:

20.445 (1) (L) *Fire dues distribution.* All moneys received under ss. 101.58 (1) and 601.93, less the amount appropriated under par. (La), for distribution under s. 101.58.

SECTION 363. 20.445 (1) (La) of the statutes is created to read:

20.445 (1) (La) *Fire dues administration.* The amounts in the schedule for administrative expenses under s. 101.58. All moneys received under ss. 101.58 (1) and 601.93 shall be credited to this appropriation.

SECTION 363w. 20.445 (1) (x) (intro.) and 1 of the statutes are amended to read:

20.445 (1) (x) (title) *Employment security buildings and equipment.* (intro.) There is appropriated, from the unemployment reserve fund's employment security administrative financing account created by s. 108.161 to the administration fund created by s. 108.20, for use on employment security ~~building projects~~ buildings and equipment in accordance with those sections the unencumbered balances in s. 20.440 (1) (x), 1965 stats.

1. The amounts thus appropriated shall be used for employment security administration (including unemployment compensation, employment service and related statistical operations), ~~namely for capital outlay to buy suitable parcels of land, with a view to future construction thereon of modern office~~ for buildings designed for employment security operations, and to finance the designing and construction of such buildings, including and for such equipment, facilities, paving, landscaping and other improvements as are required for the proper use and operation of such building projects after their completion buildings occupied by the department for employment security administration.

SECTION 364. 20.445 (1) (x) 9 of the statutes is created to read:

20.445 (1) (x) 9. There is appropriated from the unemployment reserve fund's employment security administrative financing account created by s. 108.161, to the administration fund created by s. 108.20, for use on equipment required for employment security administration in accordance with those sections, \$1,600,000 of the amounts credited to that employment security administrative financing account which are unobligated and available for obligation under s. 108.161, for the purpose of site preparation for and the purchase and installation of a computer capable of processing unemployment compensation benefit claims in the general executive facility-1 state office building at Madison. The amounts appropriated by this subdivision are available for obligation solely within the 2 years after the effective date of this subdivision (1981), and are to be utilized only in the event that administrative funds appropriated under par. (z) prove to be insufficient for such purposes.

SECTION 365. 20.445 (2) (ha) of the statutes is created to read:

20.445 (2) (ha) *Worker's compensation operations.* The amounts in the schedule for the worker's compensation activities of the labor and industry review commission. As provided under s. 102.75 (4), this appropriation shall be financed from program revenues.

SECTION 367. 20.445 (5) of the statutes is created to read:

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20.445 (5) GOVERNOR'S EMPLOYMENT AND TRAINING OFFICE. (a) *Grants*. Biennially, the amounts in the schedule for grants for standardized assessment and programs for instruction in basic skills.

(m) *Federal aid*. All moneys received from the federal government as authorized by the governor under s. 16.54, to be allocated to the governor's employment and training office created under executive order number 14, dated May 1, 1979.

(mn) *Federal aid — comprehensive employment and training act*. All federal comprehensive employment and training act moneys received from the federal government or prime sponsors for local assistance or the payment of incentives, training related expenses and other support costs, as authorized by the governor under s. 16.54.

~~SECTION 368. 20.455 (1) (b) of the statutes is renumbered 20.525 (1) (e) and amended to read:~~

Vetoed  
in Part

~~20.525 (1) (e) *Special counsel*. A sum sufficient, subject to the procedure established in s. 14.11 (2) (e). The amounts in the schedule for the compensation of special counsel appointed as provided in under ss. 14.11 (2) and 21.13.~~

SECTION 369. 20.455 (1) (d) of the statutes is amended to read:

20.455 (1) (d) *Legal expenses*. ~~A sum sufficient~~ Biennially, the amounts in the schedule for the payment of expenses incurred by the department of justice in the prosecution or defense of any action or proceeding in which the state may be a party or may have an interest, for any abstract of title, clerk of court's fees, sheriff's fees, or any other expense actually necessary to the prosecution or defense of such those cases, for the payment of expenses incurred where the department of justice is not involved, and where the statutes provide that such those expenses shall be paid from this appropriation, unless such the cost or expenses are charged to some other appropriation.

SECTION 370m. 20.455 (2) (h) of the statutes is amended to read:

20.455 (2) (h) *Terminal charges*. The amounts in the schedule for the transaction information for management of enforcement system. All moneys collected from law enforcement agencies for rentals, terminal fees and related charges associated with the transaction information for management of enforcement system shall be credited to this appropriation.

SECTION 371. 20.455 (2) (i) of the statutes is amended to read:

20.455 (2) (i) *Law enforcement training fund, receipts*. The amounts in the schedule for the purposes of s. 165.85 (5) (b). All moneys received from the penalty assessment surcharge on court fines and forfeitures authorized under s. 165.87 to be used as provided in s. 165.85 (5) (b) shall be credited to this appropriation. These moneys may be transferred to pars. (j) and (ja) and s. 20.435 (3) (jp) by the secretary of administration for expenditures based upon determinations by the department of justice and the department of health and social services. Upon final determination by the secretary of administration, transfers shall be accomplished under s. 16.50.

SECTION 371d. 20.455 (2) (j) of the statutes is amended to read:

20.455 (2) (j) *Law enforcement training fund, local assistance*. ~~All moneys transferred from par. (i) to be used~~ The amounts in the schedule to finance local law enforcement training as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) shall be credited to this appropriation.

SECTION 371m. 20.455 (2) (ja) of the statutes is amended to read:

20.455 (2) (ja) *Law enforcement training fund, state operations*. ~~All moneys transferred from par. (i) to be used~~ The amounts in the schedule to finance state operations associated with the administration of the law enforcement training fund and to finance training for state law enforcement personnel, as provided in s. 165.85 (5) (b). All moneys transferred from par. (i) shall be credited to this appropriation.

SECTION 371p. 20.455 (4) (h) of the statutes is amended to read:

20.455 (4) (h) *General program operations.* ~~The amounts deducted from the gross receipts of the appropriate funds as indicated under ss. 24.04, 24.53 and 25.015~~ The amounts in the schedule for the operations of the division of trust lands and investments as indicated under those sections ss. 24.04, 24.53 and 25.015. All amounts deducted from the gross receipts of the appropriate funds as indicated under ss. 24.04, 24.53 and 25.015 shall be credited to this appropriation.

SECTION 371q. 20.455 (5) (title) of the statutes is amended to read:

20.455 (5) (title) VICTIMS AND WITNESSES.

SECTION 371r. 20.455 (5) (a) of the statutes is amended to read:

20.455 (5) (a) *General program operations.* The amounts in the schedule for general program operations under chs. 949 and 950.

SECTION 373g. 20.455 (6) (title) and (a) of the statutes are repealed.

SECTION 373r. 20.455 (6) (b) of the statutes is renumbered 20.455 (5) (c).

SECTION 376. 20.465 (1) (f) of the statutes is amended to read:

20.465 (1) (f) *Fuel and utilities.* ~~A sum sufficient~~ The amounts in the schedule to pay for the use of electricity, water, sewage service and gas and to pay the cost of fuel used for heating of military buildings under the control of the department, including the freight and local hauling charges where applicable. Coal or fuel oil purchases under this paragraph shall be purchased under s. 16.71. Payments for coal purchased under this paragraph shall be made as provided in s. 16.91.

SECTION 376m. 20.465 (1) (g) of the statutes is amended to read:

20.465 (1) (g) *Military property.* ~~All moneys received on account of lost military property or from the sale of obsolete or unserviceable military property, from the sale of any state-owned military property, real and personal, under s. 21.19 (3),~~ The amounts in the schedule for rent of state-owned military lands or buildings used by, acquired for or erected for the Wisconsin national guard pursuant to s. 21.19 (2), for rental of buildings and grounds maintenance equipment owned by the state and required to properly maintain properties supported by state-federal service contracts, for the repair of state-owned military lands or buildings and for the purchase and construction of new military property, real and personal. All moneys received on account of lost military property, from the sale of obsolete or unserviceable military property or from the sale of any state-owned military property, real and personal, under s. 21.19 (3), shall be credited to this appropriation.

SECTION 377g. 20.485 (1) (a) of the statutes is repealed.

SECTION 377r. 20.485 (1) (b) of the statutes is created to read:

20.485 (1) (b) *General fund supplement to institutional operations.* Biennially, the amounts in the schedule to supplement the appropriation under par. (gk). Moneys may not be released from this appropriation without the approval of the joint committee on finance.

SECTION 378. 20.485 (1) (c) of the statutes is amended to read:

20.485 (1) (c) *Fuel and utilities.* ~~A sum sufficient~~ The amounts in the schedule to pay for the use of electricity, to cover the cost of gas for cooking and to cover the cost of coal or other fuels used for space heating at the Wisconsin veterans home, including freight charges and local hauling charges where applicable. Coal or fuel oil purchases under this paragraph shall be purchased under s. 16.71. Payments for coal purchased hereunder shall be made as provided in s. 16.91.

SECTION 380m. 20.485 (1) (g) of the statutes is amended to read:

20.485 (1) (g) *Home exchange.* ~~All moneys received from the sale of products authorized by s. 45.37 (9)~~ The amounts in the schedule for the purchase of the necessary materials, supplies and equipment for the operation of the home exchange, and compensation for members' labor. All moneys received from the sale of products authorized by s. 45.37 (9) shall be credited to this appropriation.

SECTION 380p. 20.485 (1) (i) of the statutes is amended to read:

20.485 (1) (i) *Prepaid care.* ~~All moneys received under s. 45.37 (2) (f) and (9)~~ The amounts in the schedule to carry out the purposes of s. 45.37 (16). All moneys received under s. 45.37 (2) (f) and (9) shall be credited to this appropriation.

SECTION 381m. 20.485 (1) (k) of the statutes is renumbered 20.485 (1) (gk) and amended to read:

20.485 (1) (gk) *Institutional operations.* ~~All moneys received under par. (m) and s. 45.37 (9d) and (16) (b)~~ The amounts in the schedule for the care of the Wisconsin veterans home. All moneys received under par. (m) and s. 45.37 (9d) and (16) (b) shall be credited to this appropriation.

SECTION 382. 20.485 (1) (u) of the statutes is amended to read:

20.485 (1) (u) (title) *Rentals; improvements; equipment; land acquisition.* From the state building trust fund, ~~a sum sufficient~~ the amounts in the schedule for the payment of rentals by the department and for permanent improvements and the acquisition of all equipment therefor, remodeling and purchase of land on projects or lands designated by the building commission when the projects or land acquisitions are initiated.

SECTION 383. 20.485 (2) (intro.) of the statutes is repealed and recreated to read:

20.485 (2) LOANS AND AIDS TO VETERANS. (intro.) From the veterans trust fund or from other funds if so indicated:

SECTION 384. 20.485 (2) (a) of the statutes is amended to read:

20.485 (2) (a) *National guard tuition grants administration.* Biennially from the general fund, the amounts in the schedule for supplies and services expenditures necessary for administration of the national guard tuition grants program under s. 21.49.

SECTION 386. 20.485 (2) (c) of the statutes is renumbered 20.485 (2) (q) and amended to read:

20.485 (2) (q) *Vietnam veteran educational grants.* ~~A sum sufficient~~ The amounts in the schedule for the payment of educational grants to Vietnam era veterans under s. 45.28.

SECTION 387. 20.485 (2) (d) of the statutes is amended to read:

20.485 (2) (d) *General fund loan to veterans trust fund.* ~~As~~ From the general fund as a continuing appropriation, the amounts in the schedule for the purpose of making housing loans under s. 45.352, 1971 stats., or 45.80. ~~Commencing January 1, 1976, the department of veterans affairs shall make quarterly reimbursement payments from the veterans trust fund to the general fund in the amount of \$1,880,000 or such amount as the balance in the veterans trust fund permits. If any repayments are required on or after July 1, 1978, they shall be made in such amounts as the balance in the veterans trust fund permits.~~

SECTION 388. 20.485 (2) (db) of the statutes is amended to read:

20.485 (2) (db) *General fund supplement to veterans trust fund.* Biennially from the general fund, the amounts in the schedule to be paid into the veterans trust fund to be used for veterans housing assistance programs after January 1, 1974, which are authorized by the legislature.

SECTION 389. 20.485 (2) (vm) of the statutes is amended to read:

20.485 (2) (vm) *Veterans aids and treatment.* ~~A sum sufficient~~ The amounts in the schedule for payment of benefits to veterans and their dependents under ss. 45.351 (1) and (3) and 45.396 and for payment of treatment of veterans under s. 142.10.

SECTION 390m. 20.485 (2) (vn) of the statutes is amended to read:

20.485 (2) (vn) *Grants to veterans organizations.* ~~The amounts in the schedule for grants and payments to veterans organizations, including a grant, not to exceed \$1,000 annually, to help defray the expenses of the annual encampment of the United Spanish war veterans under s. 45.354.~~

SECTION 391. 20.485 (2) (vw) of the statutes is amended to read:

20.485 (2) (vw) *Payments to veterans organizations for claims service.* ~~A sum sufficient~~ The amounts in the schedule to pay veterans organizations for claims services as prescribed in s. 45.353.

SECTION 392. 20.485 (2) (vx) of the statutes is amended to read:

20.485 (2) (vx) *County grants.* ~~A sum sufficient~~ The amounts in the schedule for payment of grants under s. 45.43 (7).

SECTION 393. 20.485 (2) (y) of the statutes is amended to read:

20.485 (2) (y) *Veterans loans and expense.* After deducting the appropriations made under pars. (u) to (x) ~~a sum sufficient, the amounts in the schedule~~ for the payment of loans granted to veterans under s. 45.352, 1971 stats., 45.351 (2) or 45.80 and the payment of expense and other payments as a consequence of being mortgagee or owner under s. 45.352, 1971 stats., 45.351 (2) or 45.80. All repayments of loans and payments of interest made on loans under s. 45.352, 1971 stats., 45.351 (2) or 45.80 shall revert to the veterans trust fund.

SECTION 397. 20.485 (3) (r) of the statutes is amended to read:

20.485 (3) (r) *Loan operations.* ~~A sum sufficient~~ The amounts in the schedule from the veterans mortgage loan repayment fund, after deducting the amounts appropriated under pars. (s) and (t), for costs under s. 45.79 (7) (a) 2 and 3.

SECTION 399. 20.485 (3) (u) of the statutes is amended to read:

20.485 (3) (u) *Funding additional loans and purchasing assumed mortgages.* ~~A sum sufficient~~ The amounts in the schedule from the veterans mortgage loan repayment fund, after deducting the amounts appropriated under pars. (r), (s) and (t), for the purpose of funding additional loans and for the purchase of assumed mortgages under s. 45.79 (7) (c).

SECTION 400b. 20.505 (1) (h) of the statutes is amended to read:

20.505 (1) (h) *Anemometer loan program.* ~~All moneys received under s. 16.959 (2) (b)~~ The amounts in the schedule to carry out the purposes for which ~~received~~ of s. 16.959 (2) (b). All moneys received under s. 16.959 (2) (b) shall be credited to this appropriation.

SECTION 400d. 20.505 (1) (i) of the statutes is amended to read:

20.505 (1) (i) *Services to nonstate governmental units.* The amounts in the schedule to provide services and to repurchase inventory items, including those under s. 66.057 (1) (d) and (2) (b), primarily to purchasers outside state government. ~~All moneys received from the sale of services and inventory items which are provided primarily to purchasers outside state government with such revenue to be used to provide services and to repurchase inventory items. Such moneys include all moneys received under s. 66.057 (1) (d) and (2) (b) for costs incurred under those paragraphs, including moneys received under s. 66.057 (1) (d) and (2) (b), shall be credited to this appropriation.~~

SECTION 400f. 20.505 (1) (ka) of the statutes is amended to read:

20.505 (1) (ka) *Materials and services to state agencies.* The amounts in the schedule to provide services and repurchasing inventory items primarily to state agencies. All moneys received from the provision of services and sale of inventory items which are provided primarily to state agencies, other than moneys received and disbursed under pars. (kb) to (kg), ~~for the purpose of providing services and repurchasing inventory items shall be credited to this appropriation.~~

SECTION 400h. 20.505 (1) (kb) of the statutes is amended to read:

20.505 (1) (kb) *Fleet management.* The amounts in the schedule to provide state fleet services and inventory items primarily to state agencies. All moneys received from the provision of state fleet services and sale of inventory items primarily to state agencies ~~and disbursed to provide those services and to replace inventory items distributed under this paragraph shall be credited to this appropriation.~~

SECTION 400j. 20.505 (1) (kc) of the statutes is amended to read:

20.505 (1) (kc) *Electronic data processing and related services.* The amounts in the schedule to provide electronic data processing services and inventory items primarily to state agencies. All moneys received from the provision of electronic data processing services and sale of inventory items primarily to state agencies ~~and disbursed to provide those services and to replace inventory items distributed under this paragraph shall be credited to this appropriation.~~

SECTION 400m. 20.505 (1) (kd) of the statutes is amended to read:

20.505 (1) (kd) *Printing services.* The amounts in the schedule to provide printing services and inventory items primarily to state agencies. All moneys received from the provision of printing services primarily to state agencies ~~and disbursed to provide those services and to replace inventory items distributed under this paragraph shall be credited to this appropriation.~~

SECTION 400p. 20.505 (1) (ke) of the statutes is amended to read:

20.505 (1) (ke) *State telephone system.* The amounts in the schedule to provide state telephone system services and inventory items primarily to state agencies. All moneys received from the provision of state telephone system services and sale of inventory items primarily to state agencies ~~and disbursed to provide those services and to replace inventory items distributed under this paragraph shall be credited to this appropriation.~~

SECTION 400r. 20.505 (1) (kf) of the statutes is amended to read:

20.505 (1) (kf) *Facility operations and maintenance.* The amounts in the schedule for the purpose of financing the costs of operation, utilities and heating, protective services, custodial and maintenance services and minor projects authorized under s. 13.48 (3) or (10) or 16.855 (16) not funded under other appropriations in state-owned and operated facilities. All moneys received from the building commission under s. 20.867 (1) (g) for space rentals at state-owned or operated facilities occupied by state agencies and all moneys transferred under s. 20.865 (2) (a) and (e), ~~for the purpose of financing the costs of operation, utilities and heating, protective services, custodial and maintenance services and minor projects authorized under s. 13.48 (3) or (10) or 16.855 (16) not funded under other appropriations in state-owned and operated facilities shall be credited to this appropriation.~~

SECTION 400s. 20.505 (1) (kg) of the statutes is amended to read:

20.505 (1) (kg) *Records storage and microfilm service.* The amounts in the schedule to provide records storage and microfilm services primarily to state agencies. All moneys received from the provision of records storage and microfilm services primarily to state agencies ~~and disbursed to provide those services and to replace inventory items distributed under this paragraph shall be credited to this appropriation.~~

SECTION 400sm. 20.505 (2) (d) of the statutes is created to read:

20.505 (2) (d) *Disaster recovery aids — local assistance.* The amounts in the schedule only in fiscal year 1981-82 for disaster recovery aids under s. 166.03 (2) (b) 6.

SECTION 400t. 20.505 (2) (g) of the statutes is amended to read:

20.505 (2) (g) *Program services.* The amounts in the schedule for conferences, training and other services provided by the division of emergency government. All moneys received for conferences, training and other services provided by the division of emergency government to carry out the purposes of the program provided shall be credited to this appropriation.

SECTION 401. 20.505 (2) (q) of the statutes is repealed.

SECTION 402. 20.505 (3) (title) of the statutes is amended to read:

20.505 (3) (title) SPECIAL AND EXECUTIVE COMMITTEES AND BOARDS.

SECTION 403. 20.505 (3) (a) of the statutes is renumbered 20.505 (4) (c).

SECTION 404. 20.505 (3) (b) of the statutes is renumbered 20.505 (4) (d) and amended to read:

20.505 (4) (d) *Claims awards.* ~~There is appropriated to the various state agencies from the respective funds and accounts from which their appropriations are financed, to be paid on vouchers certified by the claims board, or by the department of administration in the case of claims specified in s. 16.007 (6) (b), a~~ A sum sufficient for payment of the awards made by the claims board or department of administration under ss. 16.007, 775.05 (4), 775.06 and 775.11 and these awards made by an act of the legislature arising from a claim filed with the claims board. Unless otherwise specified by law, if the claims board determines that payment from a specific fund and account would jeopardize the programs it supports, the award shall be paid from the unappropriated balance of the appropriate fund, unless the board determines that there is an insufficient balance in a segregated fund to pay the award, in which case the award shall be paid from the general fund. Expenditures under this paragraph not attributable to a specific state agency shall be charged only under this paragraph which are not directed by law or under s. 16.007 (6m) to be paid from another appropriation.

SECTION 405. 20.505 (3) (e) (title) and (f) of the statutes are created to read:

20.505 (3) (e) (title) *Emergency services number development.*

(f) *Emergency number systems board.* The amounts in the schedule for general program operations of the emergency number systems board under s. 146.70.

SECTION 406. 20.505 (4) (title) of the statutes is amended to read:

20.505 (4) (title) QUASI-JUDICIAL BOARDS AND COMMISSIONS.

SECTION 409. 20.505 (4) (f) (title) of the statutes is created to read:

20.505 (4) (f) (title) *Natural resources hearings operations.*

SECTION 410. 20.505 (5) (title) of the statutes is repealed.

SECTION 411. 20.505 (5) (a) of the statutes is renumbered 20.505 (3) (a) and amended to read:

20.505 (3) (a) *General program operations.* The amounts in the schedule for the expenses of committees created by law or executive order subject to the approval of budgets for each such committee by the joint committee on finance acting under s. 13.101, and for state membership dues, travel expenses and miscellaneous expenses to the education commission of the states under s. 39.76 and the state's contribution to the advisory commission on intergovernmental relations. The governor may, under this paragraph, allot sums not in excess of \$1,000 to any committee created by law or executive order when necessary, without a meeting of the joint committee on finance, but the governor shall



report any such allotments to the joint committee on finance at the next quarterly meeting of the joint committee convened under s. 13.101 on finance. Administrative matters related to such budgets shall be handled by the department of administration.

SECTION 412m. 20.505 (5) (cc) of the statutes is repealed.

SECTION 413. 20.505 (5) (g) of the statutes is renumbered 20.505 (3) (g).

SECTION 414. 20.505 (5) (h) of the statutes is renumbered 20.505 (3) (h) and amended to read:

20.505 (3) (h) *Program fees*. The amounts in the schedule to carry out the responsibilities of special and executive committees. All moneys received from fees which are authorized by law or executive order to be collected by any special or executive committee, ~~to be used for the purpose of carrying out the committee's program responsibilities~~ shall be credited to this appropriation.

SECTION 415. 20.505 (5) (m) of the statutes is renumbered 20.505 (3) (m).

SECTION 416. 20.505 (6) (title) of the statutes is repealed.

SECTION 417. 20.505 (6) (k) of the statutes is renumbered 20.505 (4) (k) and amended to read:

20.505 (4) (k) (title) *Nursing home appeals operations*. The amounts in the schedule for general program operations. All moneys received from state agencies by the nursing home forfeiture appeals board ~~to be used to carry out the purposes for which made and received~~ shall be credited to this appropriation.

SECTION 418. 20.505 (8) (title) and (a) (title) of the statutes are repealed.

SECTION 419. 20.505 (8) (a) of the statutes is renumbered 20.505 (4) (f).

SECTION 420. 20.505 (9) (title) and (a) (title) of the statutes are repealed.

SECTION 421. 20.505 (9) (a) of the statutes is renumbered 20.505 (3) (e).

SECTION 421m. 20.512 (1) (k) of the statutes is amended to read:

20.512 (1) (k) *Program revenue — service*. The amounts in the schedule for providing employe development and training services to state agencies. All moneys received from state agencies for employe development and training services provided them by the department shall be credited to this appropriation.

SECTION 425. 20.521 (1) (b) of the statutes is repealed.

SECTION 426. 20.525 (1) (a) of the statutes is amended to read:

20.525 (1) (a) *General program operations*. A sum sufficient for staff salaries and the general program operations of the office of the governor, including amounts authorized for transitional expenses under s. ~~13.101 (10)~~ 13.09 (5), but not including programs financed under sub. (3) or (4) or ~~s. ss. 20.530 and 20.531~~. The governor is entitled to expenses incident to his or her office from this appropriation, including expenses in connection with any conferences of governors, as prescribed in s. 14.17.

SECTION 431c. 20.525 (4) (a) of the statutes is repealed.

SECTION 431h. 20.525 (4) (b) of the statutes is amended to read:

20.525 (4) (b) (title) *Advisor and program on women's and family initiatives*. The amounts in the schedule for the general program operations of the advisor and program on women's and family initiatives, as authorized under s. 14.19 for ~~ombudsman and~~ advocacy activities.

SECTION 431m. 20.525 (4) (c) of the statutes is amended to read:

20.525 (4) (c) *Advisor and program on minority ethnic initiatives*. The amounts in the schedule for the general program operations of the advisor and program on minority ethnic initiatives, as authorized under s. 14.19 for ~~ombudsman and~~ advocacy activities.

SECTION 431p. 20.525 (4) (i) of the statutes is amended to read:

20.525 (4) (i) *Gifts and grants.* All moneys received from gifts, grants, bequests and devises for the ~~ombudsman~~ and advocacy activities under s. 14.19, to carry out the purposes for which made and received.

SECTION 431s. 20.525 (4) (k) of the statutes is repealed.

SECTION 431w. 20.525 (4) (m) of the statutes is amended to read:

20.525 (4) (m) *Federal aid.* All federal moneys received as authorized under s. 16.54 for the ~~ombudsman~~ and advocacy activities under s. 14.19, to carry out the purposes for which received.

SECTION 432. 20.530 (intro.) of the statutes is amended to read:

**20.530 (title) Executive programs; council on criminal justice.** (intro.) There is appropriated to the governor for the following ~~programs~~ program:

SECTION 433. 20.530 (1) of the statutes, as affected by chapter .... (this act), laws of 1981, is repealed.

SECTION 434. 20.530 (2) of the statutes is renumbered 20.530 (1).

SECTION 435. 20.530 (4) of the statutes is renumbered 20.531 (1).

SECTION 436. 20.531 (intro.) of the statutes is created to read:

**20.531 Executive programs; conservation work projects board.** (intro.) There is appropriated to the governor for the following program:

SECTION 438. 20.536 (1) (h) of the statutes is renumbered 20.536 (1) (k) and amended to read:

20.536 (1) (k) *General program operations.* ~~As a continuing appropriation, the~~ The amounts in the schedule ~~from moneys received by the board, in advance, for the amounts anticipated to be expended in~~ investing the funds which it controls. All moneys received by the board in advance shall be credited to this appropriation. On July 1 and January 1 of each year, the board shall estimate the amounts required for the next 6-month period and bill the state agencies for whom investments are made. At the end of each semiannual period the board shall reconcile its expenditures and shall adjust its next billing to such agencies to reflect any deficits or excesses. At the end of each fiscal year the board shall reconcile its accounts and report to each state agency its share of total expenses for the year. Amounts billed to state agencies shall be charged to income or revenue received from the board's investments ~~and revenue received from such billings~~. Any amounts received under s. 25.17 (9) shall also be credited to this appropriation. The amounts expended under this paragraph may not exceed the amounts shown in the schedule for each year of the biennium, unless supplemented from the board's receipts by the joint committee on finance.

SECTION 438m. 20.550 (1) (h) of the statutes is amended to read:

20.550 (1) (h) *Contractual agreements.* The amounts in the schedule to carry out contractual agreements with other state agencies. ~~All moneys received from contractual agreements with other state agencies to carry out the purpose of the agreements shall be credited to this appropriation.~~

SECTION 438p. 20.566 (1) (a) of the statutes is amended to read:

20.566 (1) (a) *General program operations.* The amounts in the schedule for the administration of income, sales, excise and inheritance tax laws. From this appropriation, there are allotted, subject to the approval of the joint committee on finance ~~acting under s. 13.101~~, such sums as are necessary to be used as contingent funds to redeem bad checks returned to the state treasurer or state depositories and for establishing change funds in the amount deemed necessary by the department.

SECTION 439. 20.566 (1) (b) of the statutes is repealed.

SECTION 439m. 20.566 (1) (g) of the statutes is amended to read:

20.566 (1) (g) *Administration of local sales tax.* The amounts in the schedule for the purpose of administering the local sales tax. Three per cent percent of all taxes collected under subch. V of ch. 77, for the purpose of administering the local sales tax shall be credited to this appropriation.

SECTION 440. 20.566 (1) (h) of the statutes is created to read:

20.566 (1) (h) *Debt collections.* After deducting administrative expenses, all remaining moneys received under s. 71.105 to be distributed to state agencies certifying debts to the department of revenue.

SECTION 440b. 20.566 (1) (hm) of the statutes is created to read:

20.566 (1) (hm) *Collections from nonresidents.* From moneys received from the collection of delinquent Wisconsin taxes owed by nonresidents under s. 73.03 (28), a sum sufficient to pay the costs of contracts and court costs for the collection of those taxes.

SECTION 440d. 20.566 (2) (g) of the statutes is amended to read:

20.566 (2) (g) *Auditing of local units of government.* The amounts in the schedule for the purposes of s. 73.10. All moneys received under s. 73.10 for the purposes of that section shall be credited to this appropriation.

SECTION 440m. 20.566 (2) (h) of the statutes is amended to read:

20.566 (2) (h) *Reassessment and review.* The amounts in the schedule for the purposes of ss. 70.055, 70.75, 70.85 and 73.08. All moneys received under ss. 70.055, 70.75, 70.85 and 73.08 for the purposes of those sections shall be credited to this appropriation.

SECTION 441. 20.566 (2) (hi) of the statutes is created to read:

20.566 (2) (hi) *Wisconsin property assessment manual.* The amounts in the schedule for the purposes of s. 73.03 (2a). All moneys received under s. 73.03 (2a) shall be credited to this appropriation.

SECTION 442. 20.566 (3) (a) of the statutes is amended to read:

20.566 (3) (a) *General program operations.* The amounts in the schedule for the office of the secretary, the legal staff, stenographic reporter services, the research and analysis division and the administrative services division ~~plus stenographic reporter services not fully funded under par. (h).~~

SECTION 443. 20.566 (3) (b) of the statutes is repealed.

SECTION 444. 20.566 (3) (c) of the statutes is created to read:

20.566 (3) (c) *Expert professional services.* Biennially, the amounts in the schedule to pay the expenses associated with the employment of accountants, appraisers, counsel and other special assistants to aid in tax determination, property valuation, assessment of property and other functions related to the administration of state taxes, oversight of local property tax administration and administration of property tax relief programs.

SECTION 444m. 20.566 (3) (g) of the statutes is amended to read:

20.566 (3) (g) *Services.* The amounts in the schedule to provide services, except as provided in sub. (2) (g) and (h). All moneys received from services rendered by the department, except as provided in ~~subs.~~ sub. (2) (g) and (h), shall be credited to the appropriation. Insofar as practicable all such services shall be billed at cost. The unencumbered balance of this appropriation on June 30 of any year shall lapse to the general fund.

SECTION 445. 20.566 (3) (h) of the statutes is repealed.

SECTION 445m. 20.566 (8) of the statutes is created to read:

20.566 (8) PROPERTY TAX DEFERRAL. (a) *Administrative supplement.* The amounts in the schedule to pay costs incurred in the administration and operation of the program under subch. IV of ch. 77. These moneys may be dedicated by the department to the system of funds and accounts created under s. 77.67 (2).

(v) *Revenue obligation funding.* As a continuing appropriation, proceeds from revenue obligations for providing loans and reserves under subch. IV of ch. 77, issued under subch. II of ch. 18. These moneys may be dedicated to the system of funds and accounts under s. 77.67 (2).

(w) *Revenue obligation repayment.* All moneys received in the system of funds and accounts under s. 77.67 (2), for the purposes of retiring revenue obligations, providing reserves and funding additional loans of subch. IV of ch. 77. All moneys received are irrevocably appropriated in accordance with subch. II of ch. 18 and further established in resolutions authorizing the issuance of revenue obligations and setting forth the distribution of funds received under that subchapter.

(y) *Program administration.* As a continuing appropriation, all moneys received in the system of funds and accounts under s. 77.67 (2) to pay costs incurred in the administration and operation of the program under subch. IV of ch. 77.

SECTION 445n. 20.575 (1) (g) of the statutes is amended to read:

20.575 (1) (g) *Program fees.* Except as provided under par. (ga) or (ka), ~~10.5% of the fees collected by the secretary of state~~ [10.5% of the fees collected by the secretary of state] the amounts in the schedule for the purpose of carrying out program responsibilities. Ten and one-half percent of the fees collected by the secretary of state, after deducting an amount equal to the sum of the number of annual reports filed under s. 180.833 multiplied by \$125 plus the number of annual reports filed under ss. 180.793 and 180.99 (11) multiplied by \$40, shall be credited to this appropriation.

Vetoed  
in Part

SECTION 445o. 20.575 (1) (ga) of the statutes is repealed.

SECTION 445p. 20.575 (1) (h) of the statutes is amended to read:

20.575 (1) (h) *Search fees.* The amounts in the schedule for conducting searches under s. 409.407 (2). All moneys received by the office for search fees collected under s. 409.407 (2).

SECTION 445r. 20.575 (1) (ka) of the statutes is amended to read:

20.575 (1) (ka) *Agency collections.* The amounts in the schedule for photocopying, microfilm copying, books and other such services provided in carrying out the functions of the office. All moneys received by the office as fees or other charges for photocopying, microfilm copying, sale of books and other such services provided in carrying out the functions of the office for the cost of providing such services shall be credited to this appropriation.

SECTION 446. 20.585 (1) (b) of the statutes is amended to read:

20.585 (1) (b) *Insurance.* ~~A sum sufficient~~ The amounts in the schedule for burglary and robbery insurance, which shall be purchased from the lowest responsible bidder under s. 16.75 (1).

SECTION 447m. 20.585 (1) (g) of the statutes is amended to read:

20.585 (1) (g) *Processing services.* The amounts in the schedule for administering the funds under s. 25.50. All moneys received from services rendered to local governments under s. 25.50 (7) for expenses in administering the funds under s. 25.50 shall be credited to this appropriation.

SECTION 451m. 20.665 (1) (b) of the statutes is repealed.

SECTION 451p. 20.665 (1) (m) of the statutes is amended to read:

20.665 (1) (m) *Federal aid*. All federal ~~money~~ moneys received as authorized under s. 16.54 and approved by the joint committee on finance ~~under s. 13.101~~ to carry out the purposes for which made and received.

SECTION 453. 20.680 (2) (a) of the statutes is amended to read:

20.680 (2) (a) *General program operations*. ~~A sum sufficient~~ The amounts in the schedule to carry into effect the functions ~~under s. 758.19~~ of the director of state courts.

SECTION 453m. 20.680 (2) (b) of the statutes is created to read:

20.680 (2) (b) *Judicial planning and research*. Biennially, the amounts in the schedule for judicial planning and research.

SECTION 453p. 20.680 (2) (g) of the statutes is created to read:

20.680 (2) (g) *Gifts and grants*. All moneys received from gifts, grants, bequests and devises, to carry out the purposes for which made and received.

SECTION 454g. 20.680 (3) (a) of the statutes is repealed.

SECTION 454r. 20.680 (3) (h) of the statutes is amended to read:

20.680 (3) (h) *Board of attorneys professional responsibility*. All moneys received from the state bar of Wisconsin and any other revenue derived from the activities of the board for the operational expenses of and the expenses of disciplinary investigations and actions by the board of attorneys professional responsibility.

SECTION 457. 20.765 (2) (b) of the statutes is amended to read:

20.765 (2) (b) *Commission on uniform state laws*. For the commission on uniform state laws, biennially, the amounts in the schedule to perform its functions under s. 13.55 and to pay the state's annual contribution to the national conference.

SECTION 459. 20.765 (2) (u) of the statutes is repealed.

SECTION 460. 20.765 (3) (a) of the statutes is amended to read:

20.765 (3) (a) *Revisor of statutes bureau*. For the revisor of statutes bureau, biennially, the amounts in the schedule for general program operations under s. 13.93.

SECTION 461. 20.765 (3) (f) of the statutes is amended to read:

20.765 (3) (f) *Joint committee on legislative organization*. For the joint committee on legislative organization, ~~as a continuing appropriation, the balance in the appropriation made by s. 20.765 (3) (fs), 1967 stats.,~~ biennially, the amounts in the schedule for special studies contracted or otherwise approved by the joint committee under s. 13.90.

SECTION 461m. 20.765 (3) (ka) of the statutes is amended to read:

20.765 (3) (ka) *Charges for requested audits*. The amounts in the schedule for the provision of auditing services requested by state agencies or by the federal government. All moneys received by the legislative audit bureau from charges assessed to departments under s. 13.94 (1s) ~~for the provision of auditing services requested by the departments or by the federal government~~ shall be credited to this appropriation.

SECTION 462. 20.835 (intro.) of the statutes is amended to read:

**20.835 (title) Shared revenue and tax relief.** (intro.) ~~Except as provided in subs. (2) (e) and (4) (e), there~~ There is appropriated from local tax revenues for distribution as follows:

SECTION 463. 20.835 (1) (title) of the statutes is amended to read:

20.835 (1) (title) SHARED REVENUE ACCOUNT AND MINIMUM PAYMENTS.

SECTION 464. 20.835 (1) (bb) of the statutes is repealed.

SECTION 465. 20.835 (1) (c) of the statutes is amended to read:

20.835 (1) (c) *Municipal and county guarantee supplement.* A sum sufficient to make the payments under s. 79.05 (1), (2) and (3) in 1981 and s. 79.06 (2) (c) in calendar year 1985 and thereafter.

SECTION 466. 20.835 (1) (h) of the statutes is renumbered 20.835 (1) (d) and amended to read:

20.835 (1) (d) *Shared revenue account.* A sum sufficient to meet the requirements of the shared revenue account established under s. 79.01 (2) ~~and to provide for the distributions from the shared revenue account to counties, towns, villages and cities under ss. 79.02, 79.03 and 79.04. Annually there is transferred from the appropriation under sub-~~ (2) (b) ~~to this paragraph the amounts determined under s. 79.16 (3) (a).~~

SECTION 467. 20.835 (1) (k) of the statutes is renumbered 20.835 (1) (e).

SECTION 468. 20.835 (1) (p) of the statutes is repealed.

SECTION 469. 20.835 (2) (a) of the statutes is amended to read:

20.835 (2) (a) (title) *Wisconsin state property tax relief.* ~~The amounts in the schedule~~ A sum sufficient to make the payments for general property Wisconsin state property tax relief under s. 79.10 (2), (6) and (7) at the total funding level specified under s. 79.10 (5). Commencing with the 1977-78 fiscal year the amounts in the schedule shall be \$210,471,000.

SECTION 471. 20.835 (2) (b) of the statutes is repealed.

SECTION 475. 20.835 (2) (d) of the statutes is repealed.

SECTION 478. 20.835 (2) (ds) of the statutes is repealed.

~~SECTION 479m. 20.835 (2) (fm) of the statutes is created to read:~~

~~20.835 (2) (fm) *Earned income credit.* A sum sufficient to pay the claims under s. 71.09 (12m).~~

Vetoed  
in Part

SECTION 481. 20.835 (3) (f) of the statutes is created to read:

20.835 (3) (f) *Distribution.* The amounts in the schedule to be distributed to cities, villages and towns located in counties that enact a local sales tax under s. 77.76 (4).

SECTION 482. 20.835 (3) (g) of the statutes is repealed.

SECTION 483. 20.835 (4) of the statutes is repealed.

\* SECTION 484m. 20.855 (2) of the statutes is repealed.

SECTION 486. 20.855 (3) of the statutes is created to read:

20.855 (3) **PUBLIC PATIENT TREATMENT.** (a) *Public patient treatment.* Biennially, the amounts in the schedule for the treatment of state dependents and public patients under s. 142.08.

SECTION 487. 20.855 (4) (ao) of the statutes is repealed.

SECTION 491m. 20.855 (4) (r) of the statutes is created to read:

20.855 (4) (r) *Transfer from the transportation fund to the general fund.* From the transportation fund, the amounts in the schedule to be paid into the general fund. The amounts may be paid at such intervals during each fiscal year as the secretary of administration deems appropriate or necessary.

~~SECTION 491s. 20.855 (4) (s) of the statutes is created to read:~~

~~20.855 (4) (s) *Integrated oil company taxation payments.* The amounts determined under s. 71.01 (5), 80% of them to be paid into the integrated oil company taxation fund under s. 20.255 (1) (s) annually on August 1 and 20% of them to be paid into the integrated oil company weatherization fund under s. 20.435 (4) (v) annually on August 1.~~

Vetoed  
in Part

SECTION 492. 20.855 (7) of the statutes is created to read:

\* Governor attempted subsequent veto of this SECTION. See 70 O.A.G. 154 (1981); see also 1981 Laws, Chap. 93, s. 16.

20.855 (7) DEBT COLLECTIONS. (j) *Delinquent support payments.* All moneys received under s. 46.255, to be distributed to clerks of court.

SECTION 492m. 20.855 (8) (k) of the statutes is amended to read:

20.855 (8) (k) (title) *Wilson street regional data processing service center.* The amounts in the schedule to provide for the repurchase of supplies, equipment, software and supporting staff costs at the Wilson street regional data processing service center and for research and development to acquire new or improved data processing technology. All moneys received from data processing services provided primarily to state agencies by the Wilson street regional data processing service centers, to provide for the repurchase of supplies, equipment, software and supporting staff costs at the centers, and for research and development to acquire new or improved data processing technology center shall be credited to this appropriation. The secretary of administration, after consultation with the council on data processing, shall prescribe limits and procedures for the utilization of moneys appropriated under this paragraph for research and development. ~~Release of moneys appropriated under this paragraph is subject to the appropriations management provisions of ch. 16 and this chapter.~~

SECTION 492p. 20.855 (8) (ka) and (kb) of the statutes are created to read:

20.855 (8) (ka) *Hill farms regional data processing service center.* The amounts in the schedule to provide for the repurchase of supplies, equipment, software and supporting staff costs at the Hill farms regional data processing service center, and for research and development to acquire new or improved data processing technology. All moneys received from data processing services provided primarily to state agencies by the Hill farms regional data processing service center shall be credited to this appropriation. The secretary of administration, after consultation with the council on data processing, shall prescribe limits and procedures for the utilization of moneys appropriated under this paragraph for research and development.

(kb) *GEF regional data processing service center.* The amounts in the schedule for the repurchase of supplies, equipment, software and supporting staff costs at the GEF regional data processing service center, and for research and development to acquire new or improved data processing technology. All moneys received from data processing services provided primarily to state agencies by the GEF regional data processing service center shall be credited to this appropriation. The secretary of administration, after consultation with the council on data processing, shall prescribe limits and procedures for the utilization of moneys appropriated under this paragraph for research and development.

SECTION 493. 20.865 (intro.) and (1) (a) of the statutes are amended to read:

**20.865 Program supplements.** (intro.) There is appropriated to the various state agencies from the respective funds and accounts from which their appropriations are financed, the amounts provided in this section as released by the department of administration under ss. 16.50 and 20.928, but only after the amounts included in the respective program appropriations for the purposes indicated in this section have been exhausted. ~~All expenditures~~ Every expenditure under this section for purposes normally financed by a program revenue appropriations appropriation or segregated revenue appropriations appropriation from program receipts shall be charged to the appropriate account, but if ~~the revenues of that account are exhausted or not there are insufficient moneys available~~ in that account, the expenditures expenditure shall be charged to the fund from which the appropriation is made. Those general fund expenditures paid from general purpose revenues for purposes financed by program revenues ~~or segregated revenues~~ shall be separately accounted for and the ~~appropriate~~ general fund, except as otherwise provided in sub. (2) (d), (j) and (t) and s. 20.285 (1) (g), shall be reimbursed for those expenditures as soon as moneys become available in the appropriate account. ~~Estimated supplements under this section from other than general purpose revenue shall appear in the schedule as the paragraphs which correspond to the general purpose revenue paragraphs,~~

as follows: if general purpose revenue pars. (a), (b), (c), (ci), (cm), (d), (f), (fm), (fn) or (fo) are used, the corresponding program revenue paragraphs shall be pars. (g), (h), (i), (ic), (im), (j), (L), (Lm), (Ln) or (Lo), respectively, and the corresponding segregated fund paragraphs shall be pars. (q), (r), (s), (si), (sm), (t), (v), (vm), (vn) or (vo), respectively. In the case of annual or biennial appropriations under this section, the amounts available from program and segregated revenues are limited to the dollar level specified in the corresponding general purpose revenue appropriation subject to the balances available in the respective accounts or funds.

(1) (a) (title) *Judgments and legal expenses.* A sum sufficient Biennially, the amounts in the schedule to pay the amounts due for legal expenses under ss. 21.13, 59.31, and 776.43 and chapter 582, laws of 1911, and for the cost of judgments, orders and settlements of actions, appeals and complaints under subch. II of ch. 111 or subch. II of ch. 230, and those judgments, awards, orders and settlements under ss. 21.13, 165.25 (6), 775.04 and 895.46 and chapter 582, laws of 1911 that are not otherwise reimbursable as liability costs under par. (fm). Release of moneys under this paragraph pursuant to any settlement agreement, whether or not incorporated into an order, is subject to approval of the attorney general.

SECTION 494. 20.865 (1) (b) of the statutes is repealed.

SECTION 495. 20.865 (1) (c) (intro.) of the statutes is renumbered 20.865 (1) (c) and amended to read:

20.865 (1) (c) (title) *Compensation plan adjustments.* A sum sufficient The amounts in the schedule as transferred under s. 16.40 (17), to pay supplement the appropriations to state agencies for the cost of pay compensation and related adjustments approved by the joint committee on employment relations under s. 230.12 and by the legislature, when required, for nonrepresented employees of in the classified service and comparable adjustments for those employees in the unclassified service, except those included under ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined and allocated under subds. 1 and 2 s. 20.928. Unclassified employees included under s. 20.923 (2) need not be paid comparable adjustments.

SECTION 496. 20.865 (1) (c) 1 and 2 of the statutes are renumbered 20.928 (1) and (2) and amended to read:

20.928 (1) Each department state agency head or officer shall certify to the department of employment relations administration, at such time and in such manner as the department secretary of employment relations administration prescribes, the sum of money needed by the state agency from this appropriation the appropriations under s. 20.865 (1) (c), (ci), (cm), (d), (i), (ic), (im), (j), (s), (si), (sm) and (t). Upon receipt of said the certifications together with such additional information as may be required the secretary of administration prescribes, the secretary of employment relations shall supplement, at such times and in such amounts as he or she determines, the respective appropriations.

(2) Any department feeling itself state agency head who is aggrieved by the action of the department of employment relations administration under this paragraph section may appeal such action to the governor, who, after whatever investigation is deemed necessary, may set aside or modify such action.

SECTION 497. 20.865 (1) (ci) of the statutes is amended to read:

20.865 (1) (ci) *University system faculty and academic pay adjustments.* A sum sufficient The amounts in the schedule, as transferred under s. 16.40 (17), to pay the cost of pay and related adjustments approved by the legislature or the joint committee on employment relations under s. 230.12 (3) (e) for university of Wisconsin system employees under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d), as determined under s. 20.928.



SECTION 498. 20.865 (1) (cm) of the statutes is amended to read:

20.865 (1) (cm) *Collective bargaining agreements.* ~~A sum sufficient~~ The amounts in the schedule, as transferred under s. 16.40 (17), to pay the cost of salary adjustments, fringe benefits, or other costs approved by the legislature under s. 111.92, as determined under s. 20.928.

SECTION 499m. 20.865 (1) (d) of the statutes is amended to read:

20.865 (1) (d) *Employer fringe benefit costs.* ~~A sum sufficient~~ The amounts in the schedule, as transferred under s. 16.40 (17), to pay the cost of state employer contributions under ~~chs. 102 and ch.~~ 108, subchs. II and VI of ch. 40, ch. 41 and ss. 42.40 (8), 42.46, 56.21 and 66.191, as determined under s. 20.928.

SECTION 502. 20.865 (1) (dm) of the statutes is created to read:

20.865 (1) (dm) *Risk management — worker's compensation.* Biennially, the amounts in the schedule to pay for the state employer's costs for state employees' worker's compensation under ch. 102, including but not limited to any investigative and adjustment fees, data processing and support staff costs, litigation costs and the cost of insurance contracts arranged by the department of administration to protect the state against risk of loss as provided under s. 16.865 (5). The department of administration shall on July 1 of each year allocate as a charge to state agencies a proportionate share of the estimated cost attributable to programs not funded from general purpose revenue to be paid from this appropriation. Costs may be charged to and collected from state agencies on an estimated or premium basis and paid from this appropriation on an actual basis.

SECTION 503. 20.865 (1) (f) of the statutes is amended to read:

20.865 (1) (f) *Risk management — state property.* ~~A sum sufficient~~ Biennially, the amounts in the schedule to pay for damage to state property under s. 16.865 (4) including, but not limited to, any investigative and adjustment fees and the cost of insurance contracts arranged by the department of administration to protect the state against risk of loss as provided under s. 16.865 (5). The department of administration shall biennially on July 1 of ~~the even-numbered years~~ each year allocate as a charge to state agencies a proportionate share of the estimated costs attributable to programs not funded from general purpose revenue under this appropriation s. 16.865 (4) and (5) to respective appropriations as provided under pars. (L) and (v). ~~The sums which are received from state agencies under pars. (L) and (v) shall be deposited in the general fund as general purpose revenue earned as provided in the introductory paragraph be paid from this appropriation.~~

SECTION 504. 20.865 (1) (fm) of the statutes is amended to read:

20.865 (1) (fm) *Risk management — liability.* ~~A sum sufficient~~ Biennially, the amounts in the schedule to pay settlements made under s. 165.25 (6), the costs incurred under ss. 775.04, 895.46 (1) and 895.47 including any judgments, investigative and adjustment fees and the cost of insurance contracts arranged by the department of administration to protect the state against risk of loss as provided under s. 16.865. The department of administration shall biennially on July 1 of ~~the even-numbered years~~ each year allocate as a charge to state agencies a proportionate share of the estimated costs attributable to programs not funded from general purpose revenue under ss. 16.865 and 895.46 (1) to respective appropriations as provided under pars. (Lm) and (vm). ~~Such sums as are received from state agencies under pars. (Lm) and (vm) shall be deposited in the general fund as general purpose revenue earned as provided in the introductory paragraph be paid from this appropriation.~~

SECTION 505. 20.865 (1) (fo) of the statutes is repealed.

SECTION 506. 20.865 (1) (g) of the statutes is repealed and recreated to read:

20.865 (1) (g) *Judgments and legal expenses; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to pay for legal expenses under ss. 59.31 and 776.43, and for the cost of judgments, orders and settlements of actions, appeals and complaints under subch. II of ch. 111 or subch. II of ch. 230, and those judgments, awards, orders and settlements under ss. 21.13, 165.25 (6), 775.04 and 895.46 and chapter 582, laws of 1911 that are not otherwise reimbursable as liability costs under par. (fm). Release of moneys under this paragraph pursuant to any settlement agreement, whether or not incorporated into an order, is subject to approval of the attorney general.

SECTION 507. 20.865 (1) (h) of the statutes is repealed.

SECTION 508. 20.865 (1) (i), (ic) and (im) of the statutes are repealed and recreated to read:

20.865 (1) (i) *Compensation plan adjustments; program revenues.* From the appropriate program revenue and program revenue-service accounts, the amounts in the schedule, as transferred under s. 16.40 (17), to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the joint committee on employment relations under s. 230.12 for nonrepresented employes in the classified service, except those included under ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified employes included under s. 20.923 (2) need not be paid comparable adjustments.

(ic) *University system employe pay adjustments; program revenues.* From the appropriate program revenue and program revenue-service accounts, the amounts in the schedule, as transferred under s. 16.40 (17), to supplement the appropriations to the university of Wisconsin system to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for university of Wisconsin system employes under ss. 20.923 (5) and (6) (m) and 230.08 (2) (d), as determined under s. 20.928.

(im) *Collective bargaining agreements; program revenues.* From the appropriate program revenue and program revenue-service accounts, the amounts in the schedule, as transferred under s. 16.40 (17), to supplement the appropriations to state agencies to pay the cost of salary adjustments, fringe benefits, and other costs approved by the legislature under s. 111.92, as determined under s. 20.928.

SECTION 509. 20.865 (1) (j) of the statutes is repealed and recreated to read:

20.865 (1) (j) *Employer fringe benefit costs; program revenues.* From the appropriate program revenue and program revenue-service accounts, the amounts in the schedule, as transferred under s. 16.40 (17), to supplement the appropriations to state agencies to pay the cost of state employer contributions under ch. 108, subchs. II and IV of ch. 40, ch. 41 and ss. 42.40 (8), 42.46, 56.21 and 66.191, as determined under s. 20.928.

SECTION 511. 20.865 (1) (L) of the statutes is repealed.

SECTION 512. 20.865 (1) (Lm) of the statutes is repealed.

SECTION 513. 20.865 (1) (Ln) of the statutes is repealed and recreated to read:

20.865 (1) (Ln) *Physically handicapped supplements; program revenues.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the program revenue appropriations to state agencies to pay the cost of acquiring special office equipment to accommodate a physical disability of a state employe, who without which could not be employed by the state. Items purchased or rented under this paragraph are limited to office furniture, equipment and communications devices.

SECTION 514. 20.865 (1) (Lo) of the statutes is repealed.

SECTION 515. 20.865 (1) (q) of the statutes is repealed and recreated to read:

20.865 (1) (q) *Judgments and legal expenses; segregated revenues.* From the appropriate segregated funds, a sum sufficient to pay for legal expenses under ss. 59.31 and 776.43, and for the cost of judgments, orders and settlements of actions, appeals and complaints under subch. II of ch. 111 or subch. II of ch. 230, and those judgments, awards, orders and settlements under ss. 21.13, 165.25 (6), 775.04 and 895.46 and chapter 582, laws of 1911 that are not otherwise reimbursable as liability costs under par. (fm). Release of moneys under this paragraph pursuant to any settlement agreement, whether or not incorporated into an order, is subject to approval of the attorney general.

SECTION 516. 20.865 (1) (r) of the statutes is repealed.

SECTION 517. 20.865 (1) (s) to (sm) of the statutes are repealed and recreated to read:

20.865 (1) (s) *Compensation plan adjustments; segregated revenues.* From the appropriate segregated funds, the amounts in the schedule, as transferred under s. 16.40 (17), to supplement the appropriations to state agencies for the cost of compensation and related adjustments approved by the joint committee on employment relations under s. 230.12 for nonrepresented employes in the classified service, except those included under ss. 20.923 (5) and (6) (c) and (m) and 230.08 (2) (d) and (f), as determined under s. 20.928. Unclassified employes under s. 20.923 (2) need not be paid comparable adjustments.

(si) *University system employe pay adjustments; segregated revenues.* From the appropriate segregated funds, the amounts in the schedule, as transferred under s. 16.40 (17), to supplement the appropriations to the university of Wisconsin system to pay the cost of pay and related adjustments approved by the joint committee on employment relations under s. 230.12 (3) (e) for university of Wisconsin system employes under ss. 20.923 (5) and (6) (m) and 230.12 (2) (d), as determined under s. 20.928.

(sm) *Collective bargaining agreements; segregated revenues.* From the appropriate segregated funds, the amounts in the schedule, as transferred under s. 16.40 (17), to supplement the appropriations to state agencies to pay the cost of salary adjustments, fringe benefits and other costs approved by the legislature under s. 111.92, as determined under s. 20.928.

SECTION 518. 20.865 (1) (t) of the statutes is repealed and recreated to read:

20.865 (1) (t) *Employer fringe benefit costs; segregated revenues.* From the appropriated segregated funds, the amounts in the schedule, as transferred under s. 16.40 (17), to supplement the appropriations to state agencies to pay the cost of state employer contributions under ch. 108, subchs. II and IV of ch. 40, ch. 41 and ss. 42.40 (8), 42.46, 56.21 and 66.191, as determined under s. 20.928.

SECTION 520. 20.865 (1) (v) of the statutes is repealed.

SECTION 520g. 20.865 (1) (vm) of the statutes is repealed.

SECTION 520r. 20.865 (1) (vn) of the statutes is repealed and recreated to read:

20.865 (1) (vn) *Physically handicapped supplements; segregated revenues.* From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies to pay the cost of acquiring special office equipment to accommodate a physical disability of a state employe, who without which could not be employed by the state. Items purchased under this paragraph are limited to office furniture, equipment and communications devices.

SECTION 521. 20.865 (1) (vo) of the statutes is repealed.

SECTION 522. 20.865 (2) (a) of the statutes is repealed and recreated to read:

20.865 (2) (a) *Space management supplements.* Biennially, the amounts in the schedule to finance the costs of remodeling, moving, additional rental costs and move-related vacant space costs incurred by state agencies.

SECTION 523. 20.865 (2) (ag) of the statutes is created to read:

20.865 (2) (ag) *State-owned office rent supplement*. Biennially, the amounts in the schedule to cover costs in excess of budgeted amounts as a result of increased rental rates in state-owned buildings which are approved by the building commission.

SECTION 525. 20.865 (2) (c) of the statutes is repealed.

SECTION 526. 20.865 (2) (d) of the statutes is amended to read:

20.865 (2) (d) *State deposit fund*. A sum sufficient to pay the allocable share of amounts required to be paid into the state deposit fund for deposits of the respective funds. Amounts expended from this paragraph ~~on behalf of the general purpose for programs financed by general purpose revenues and corresponding segregated revenues~~ shall not be allocated back to the respective program appropriations.

SECTION 527. 20.865 (2) (g) of the statutes is repealed and recreated to read:

20.865 (2) (g) *Space management supplements; program revenues*. From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the appropriations to state agencies to finance the costs of remodeling, moving, additional rental costs and move-related vacant space costs incurred by state agencies.

SECTION 528. 20.865 (2) (gg) of the statutes is created to read:

20.865 (2) (gg) *State-owned office rent supplement; program revenues*. From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the program revenue appropriations to state agencies to cover costs in excess of budgeted amounts as a result of increased rental rates in state-owned buildings which are approved by the building commission.

SECTION 530. 20.865 (2) (i) of the statutes is repealed.

SECTION 530m. 20.865 (2) (j) of the statutes is repealed and recreated to read:

20.865 (2) (j) *State deposit fund; program revenues*. From the appropriate program revenue and program revenue-service accounts, a sum sufficient to pay the allocable share of the amounts required to be paid into the state deposit fund for deposits of the respective funds. Amounts expended from this paragraph for programs financed by program revenues shall not be allocated back to the respective program appropriations.

SECTION 531. 20.865 (2) (q) of the statutes is repealed and recreated to read:

20.865 (2) (q) *Space management supplements; segregated revenues*. From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies to finance the costs of remodeling, moving, additional rental costs and move-related vacant space costs incurred by state agencies.

SECTION 532. 20.865 (2) (qg) of the statutes is created to read:

20.865 (2) (qg) *State-owned office rent supplement; segregated revenues*. From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies to cover costs in excess of budgeted costs as a result of increased rental rates in state-owned buildings which are approved by the building commission.

SECTION 533. 20.865 (2) (s) of the statutes is repealed.

SECTION 533m. 20.865 (2) (t) of the statutes is repealed and recreated to read:

20.865 (2) (t) *State deposit fund; segregated revenues*. From the appropriate segregated funds, a sum sufficient to supplement the appropriations of state agencies to pay the allocable share of amounts required to be paid into the state deposit fund for deposits of the respective funds. Amounts expended from this paragraph shall not be allocated back to the respective program appropriations.

SECTION 534. 20.865 (3) (a) of the statutes is amended to read:

20.865 (3) (a) (title) *Property taxes*. A sum sufficient for the payment of property taxes to local governments under s. 74.57.

SECTION 535. 20.865 (3) (b) of the statutes is amended to read:

20.865 (3) (b) *Assessments*. ~~A sum sufficient~~ Biennially, the amounts in the schedule for the payment of assessments by local governments under s. 66.64.

SECTION 536. 20.865 (3) (g) of the statutes is repealed and recreated to read:

20.865 (3) (g) *Property taxes; program revenues*. From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the appropriations to state agencies for the payment of property taxes to local governments under s. 74.57.

SECTION 537. 20.865 (3) (h) of the statutes is created to read:

20.865 (3) (h) *Assessments; program revenues*. From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement the appropriations to state agencies for the payment of assessments by local governments under s. 66.64.

SECTION 538. 20.865 (3) (q) of the statutes is repealed and recreated to read:

20.865 (3) (q) *Property taxes; segregated revenues*. From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies for the payment of property taxes to local governments under s. 74.57.

SECTION 539. 20.865 (3) (r) of the statutes is created to read:

20.865 (3) (r) *Assessments; segregated revenues*. From the appropriate segregated funds, a sum sufficient to supplement the appropriations to state agencies for the payment of assessments by local governments under s. 66.64.

SECTION 540. 20.865 (4) (a) of the statutes is amended to read:

20.865 (4) (a) (title) *General purpose revenue funds general program supplementation*. Biennially, the amounts in the schedule to be used to supplement appropriations of the general fund which prove insufficient because of unforeseen emergencies or which prove insufficient to accomplish the purposes for which made, to be used to make loans to appropriations from the general or any state segregated fund as provided in s. 13.101 (4m) and miscellaneous expense of the joint committee on finance not to exceed \$250. All loans from this appropriation when repaid shall be credited to this appropriation if repaid during the biennium in which the loan is made. All loans from this appropriation not repaid during the biennium in which the loan is made shall be general purpose revenues-earned. ~~Allotments from this appropriation shall be made as provided in s. 13.101.~~ The governor may under this paragraph allot sums not in excess of \$1,000 to any department or agency when necessary, without a meeting of the joint committee on finance. All allotments made under this paragraph ~~in an emergency~~ by the governor shall be certified by him or her to the department of administration, and expenditures therefrom shall be shown in the state budget report as an additional cost of the ~~department, board, commission, institutions or programs~~ state agency to which such allotments were made.

SECTION 541. 20.865 (4) (b) of the statutes is repealed.

SECTION 542. 20.865 (4) (c) of the statutes is repealed.

SECTION 542m. 20.865 (4) (g) of the statutes is created to read:

20.865 (4) (g) *Program revenue funds general program supplementation*. From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement sum certain program revenue and program revenue-service appropriations as provided under s. 13.101. The governor may, under this paragraph, allot sums not in excess of \$1,000 to any state agency if necessary, without a meeting of the joint committee on finance. All allotments made under this paragraph by the governor shall be certified by him or her to the department of administration, and expenditures therefrom shall be shown in the state budget report as an additional cost of the state agency to which the allotments were made.

SECTION 543. 20.865 (4) (u) of the statutes is amended to read:

20.865 (4) (u) *Segregated funds general program supplementation.* ~~A sum sufficient from any state fund other than the general fund to be used~~ From the appropriate segregated funds, a sum sufficient to supplement appropriations made from such fund funds, as provided in s. 13.101. The governor may under this paragraph allot sums not in excess of \$1,000 to any department or state agency when necessary, without a meeting of the joint committee on finance. All supplements made under this paragraph to an appropriation by the governor shall be certified by him or her to the department of administration, and expenditures therefrom shall be shown in the state budget report as an additional cost of the department, board, commission, institutions and program state agency for which such supplements were made.

SECTION 543m. 20.865 (5) (h) of the statutes is amended to read:

20.865 (5) (h) *Vehicle and aircraft receipts.* ~~All moneys received by state agencies under ss. 11.37 and 20.916 (7) for political and other personal uses of state-owned vehicles and aircraft, to be used~~ The amounts in the schedule for the purpose of subsidizing the cost of operation, maintenance and depreciation of the vehicles and aircraft. All moneys received by state agencies under ss. 11.37 and 20.916 (7) for political and other personal uses of state-owned vehicles and aircraft shall be credited to this appropriation. The department of administration may transfer moneys from this appropriation to the proper appropriation of any state agency from which state vehicle and aircraft costs are financed.

SECTION 543p. 20.865 (5) (i) of the statutes is amended to read:

20.865 (5) (i) *Miscellaneous program revenue.* The amounts in the schedule for authorized purposes for revenue deposited into the general fund under s. 20.906 (1) and not otherwise appropriated under this chapter. All moneys received for authorized purposes from revenue deposited into the general fund under s. 20.906 (1), not otherwise appropriated under this chapter, ~~to carry out the purposes for which the moneys were collected~~ shall be credited to this appropriation. The department of administration may establish numeric subunits from the appropriation made under this paragraph for each state agency or division thereof which receives revenue for which no specific appropriation is made under this chapter. For internal accounting purposes only, the department may reflect the amounts in each subunit under the appropriation totals for the respective state agencies administering the programs for which the revenue is used.

SECTION 544. 20.865 (5) (j) of the statutes is created to read:

20.865 (5) (j) *Custody accounts.* All moneys received by state agencies for deposit in accounts authorized under s. 20.907 (5), together with interest or other income authorized to be credited to such accounts, to carry out the purposes for which received. The department of administration may establish numeric subunits from the appropriation made under this paragraph for each state agency or division thereof depositing moneys in an account authorized in s. 20.907 (5). For internal accounting purposes only, the department may reflect the amounts in each subunit under the appropriation totals for the respective state agencies depositing the moneys.

SECTION 545. 20.865 (6) (title) of the statutes is repealed.

SECTION 546. 20.865 (6) of the statutes is renumbered 20.928 (3) and amended to read:

20.928 (3) All compensation adjustments for state employees approved by the legislature shall take effect and be earned at the beginning of the pay period closest to July 1 or the appropriate statutory or administrative date prescribed by law or by the appropriate authority. In the odd-numbered years, payments for such ~~approved increases adjustments~~, including those to be paid from the appropriation under sub. (1) (cm), ~~shall (im) and (sm), may~~ not be made prior to enactment of the biennial budget bill.

SECTION 547m. 20.865 (8) of the statutes is created to read:

20.865 (8) SUPPLEMENTATION OF PROGRAM REVENUE AND PROGRAM REVENUE-SERVICE APPROPRIATIONS. There is appropriated to the department of administration:

(g) *Supplementation of program revenue and program revenue-service appropriations.* From the appropriate program revenue and program revenue-service accounts, a sum sufficient to supplement sum certain program revenue and program revenue-service appropriations as provided under s. 16.515.

SECTION 548. 20.866 (1) (intro.) of the statutes is amended to read:

20.866 (1) BOND SECURITY AND REDEMPTION FUND. (intro.) ~~There~~ From the bond security and redemption fund, there is appropriated to the state building commission:

SECTION 549m. 20.866 (1) (u) of the statutes, as affected by chapter 1, laws of 1981, is amended to read:

20.866 (1) (u) *Principal repayment and interest.* A sum sufficient from moneys appropriated under ss. 20.115 (5) (j), 20.225 (1) (c), 20.245 (1) (e), 20.250 (1) (e), 20.255 (2) (c), 20.285 (1) (d) and (gb), 20.370 (1) (kc) and (kr), (4) (jb) and (ka) and (kd) and (8) (Lb) and (Ls), 20.395 (6) (aq), and (ar) and (as), 20.435 (2) (ee) and (3) (e), 20.465 (1) (d), 20.485 (1) (f) and (3) (i) and 20.867 (1) (a) and (i) and (3) (a), (b), (g) and (h) for the payment of principal and interest on public debt acquired in accordance with ch. 18.

~~SECTION 549s. 20.866 (2) (s) of the statutes is amended to read:~~

Vetoed  
in Part

~~20.866 (2) (s) *University of Wisconsin academic facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university academic educational facilities and facilities to support such facilities. The state may contract public debt in an amount not to exceed ~~\$254,929,300~~ \$413,188,500 for this purpose.~~

~~SECTION 549t. 20.866 (2) (t) of the statutes is amended to read:~~

~~20.866 (2) (t) *University of Wisconsin self-amortizing facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the board of regents of the university of Wisconsin system to acquire, construct, develop, enlarge or improve university self-amortizing educational facilities. The state may contract public debt in an amount not to exceed ~~\$100,892,100~~ \$104,392,100 for this purpose.~~

SECTION 551m. 20.866 (2) (tn) of the statutes, as created by chapter 1, laws of 1981, is amended to read:

20.866 (2) (tn) *Natural resources; pollution abatement and sewage collection facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to the department of natural resources to acquire, construct, develop, enlarge or improve point source water pollution abatement facilities and sewage collection facilities under s. 144.24 including eligible engineering design costs. Payments may be made from this appropriation for capital improvement expenditures and for payment of capital improvement encumbrances authorized under s. 144.24 regardless of when encumbrances were incurred. The state may contract public debt in an amount not to exceed ~~\$136,000,000~~ \$296,674,800 for this purpose.

SECTION 551r. 20.866 (2) (to) of the statutes is created to read:

20.866 (2) (to) *Natural resources; pollution abatement and sewage collection facilities; combined sewer overflow.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to the department of natural resources to provide funds for the construction of combined sewer overflow projects under s. 144.242. The state may contract public debt in an amount not to exceed \$40,000,000 for this purpose.

SECTION 552m. 20.866 (2) (tp) of the statutes is amended to read:

20.866 (2) (tp) *Natural resources; recreation facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of natural resources to acquire, construct, develop or enlarge state recreation facilities, and to assist municipalities in the acquisition, construction, development, enlargement or improvement of recreational boating facilities under s. 30.92 and to construct an educational facility and youth conservation camp at Poynette. The state may contract public debt in an amount not to exceed \$56,055,000 for this purpose. Of this amount, \$1,200,000 is allocated to assist municipalities in the acquisition, construction, development, enlargement or improvement of recreational boating facilities under s. 30.92. ~~Of this amount, \$558,000 is allocated for the acquisition of land located within 75 miles of a city or village with a population of 45,000 or more.~~

~~SECTION 552p. 20.866 (2) (tr) of the statutes is created to read:  
20.866 (2) (tr) *Natural resources; recreation development.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of natural resources to construct, develop, enlarge or improve state recreation facilities. The state may contract public debt in an amount not to exceed \$1,828,000 for this purpose.~~

Vetoed  
in Part

SECTION 552r. 20.866 (2) (ts) of the statutes is created to read:

20.866 (2) (ts) *Natural resources; land acquisition.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of natural resources for outdoor recreation land acquisition activities. The state may contract public debt in an amount not to exceed \$9,153,600 for this purpose.

SECTION 553m. 20.866 (2) (tu) of the statutes is amended to read:

20.866 (2) (tu) (title) *Natural resources; segregated revenue supported facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment storage or maintenance facilities and to construct, develop, enlarge or improve recreation facilities. The state may contract public debt in an amount not to exceed ~~\$1,556,000~~ \$3,881,800 for this purpose.

SECTION 554m. 20.866 (2) (tv) of the statutes is amended to read:

20.866 (2) (tv) *Natural resources; general tax supported administrative facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of natural resources to acquire, construct, develop, enlarge or improve natural resource administrative office, laboratory, equipment, storage or maintenance facilities. The state may contract public debt in an amount not to exceed ~~\$2,395,800~~ \$3,809,300 for this purpose.

~~SECTION 554s. 20.866 (2) (tu) of the statutes is amended to read:  
20.866 (2) (u) *Transportation; administrative facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of transportation to acquire, construct, develop, enlarge or improve transportation administrative office or equipment storage and maintenance facilities. The state may contract public debt in an amount not to exceed ~~\$2,290,400~~ \$19,565,900 for this purpose.~~

Vetoed  
in Part

SECTION 554t. 20.866 (2) (uu) of the statutes is created to read:

20.866 (2) (uu) *Transportation; highway projects.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of transportation to acquire, construct, reconstruct, improve or develop highway projects under ss. 84.06, 84.09 and 84.51 (3m). The state may contract public debt in an amount not to exceed \$67,000,000 for this purpose. The public debt authorized under this paragraph may not exceed \$28,000,000 until on or after July 1, 1983.



SECTION 554w. 20.866 (2) (uv) of the statutes is amended to read:

20.866 (2) (uv) *Transportation, harbor improvements.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of transportation to provide grants for harbor improvements. The state may contract public debt in an amount not to exceed ~~\$2,000,000~~ \$4,000,000 for this purpose.

SECTION 555b. 20.866 (2) (v) of the statutes is amended to read:

20.866 (2) (v) *Health and social services; mental health facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of health and social services to acquire, construct, develop, enlarge or extend mental health facilities. The state may contract public debt in an amount not to exceed ~~\$35,582,700~~ \$42,736,700 for this purpose.

SECTION 555e. 20.866 (2) (w) of the statutes is amended to read:

20.866 (2) (w) *Health and social services; correctional facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of health and social services to acquire, construct, develop, enlarge or improve correctional facilities. The state may contract public debt in an amount not to exceed ~~\$79,352,300~~ \$117,131,000 for this purpose.

SECTION 555h. 20.866 (2) (x) of the statutes is amended to read:

20.866 (2) (x) *Building commission; previous lease rental authority.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to the building commission to acquire, construct, develop, enlarge or improve facilities authorized by the legislature prior to July 1, 1969. The state may contract public debt in an amount not to exceed ~~\$366,600,000~~ \$143,171,600 for this purpose.

SECTION 555L. 20.866 (2) (xa) of the statutes is amended to read:

20.866 (2) (xa) *Building commission; refunding corporation tax supported debt.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to fund or refund the whole or any part of any unpaid indebtedness used to finance facilities in which lease rental payments are paid from general purpose revenue and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation or the Wisconsin state public building corporation. The state may contract public debt in an amount not to exceed ~~\$168,413,400~~ \$130,147,200 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Upon incurring any portion of the debt authorized by this paragraph, the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (s), (v), (w), (y) or (zm) for which purpose the debt was refinanced. It is the intent of the legislature that this refunding authority only be used if the net interest costs to the state can be reduced.

SECTION 555o. 20.866 (2) (xb) of the statutes is amended to read:

20.866 (2) (xb) *Building commission; refunding corporation self-amortizing debt.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to fund or refund the whole or any part of any unpaid indebtedness used to finance self-amortizing facilities in which program revenues or corresponding segregated revenues from program receipts reimburse lease rental payments advanced by general purpose revenue, and incurred prior to January 1, 1970, by the Wisconsin state agencies building corporation, Wisconsin state colleges building corporation or Wisconsin university building corporation. The state may contract public debt in an amount not to exceed ~~\$135,680,200~~ \$83,022,800 for this purpose. Such indebtedness shall be construed to include any premium payable with respect thereto. Upon incurring any portion of the debt

authorized by this paragraph, the department of administration shall reduce this authority by the amount refinanced and correspondingly increase by the same amount the appropriate authority in par. (t), (u), (ur) or (zz) for which purpose the debt was refinanced. The refunding authority provided in this paragraph may be used only if the net interest costs to the state can be reduced thereby.

SECTION 555r. 20.866 (2) (y) of the statutes is amended to read:

20.866 (2) (y) *Building commission; housing state departments and agencies.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to the building commission for the purpose of housing state departments and agencies. The state may contract public debt in an amount not to exceed ~~\$73,007,400~~ \$76,657,400 for this purpose.

SECTION 555u. 20.866 (2) (z) of the statutes is amended to read:

20.866 (2) (z) *Building commission; other public purposes.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule to the building commission for relocation assistance and capital improvements for other public purposes authorized by law but not otherwise specified in this chapter. The state may contract public debt in an amount not to exceed ~~\$26,965,000~~ \$79,493,000 for this purpose.

~~SECTION 555w. 20.866 (2) (zg) of the statutes is amended to read:~~

~~20.866 (2) (zg) *Historical society; museum facility.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the historical society to acquire and remodel a museum facility. The state may contract public debt in an amount not to exceed ~~\$1,000,000~~ \$1,988,000 for this purpose.~~

Vetoed  
in Part

~~SECTION 555y. 20.866 (2) (zj) of the statutes is amended to read:~~

~~20.866 (2) (zj) *Military affairs; armories and military facilities.* As a continuing appropriation from the capital improvement fund, the amounts in the schedule for the department of military affairs to acquire, construct, develop, enlarge, or improve armories and other military facilities. The state may contract public debt in an amount not to exceed ~~\$2,000,000~~ \$2,496,000 for this purpose.~~

SECTION 557. 20.867 (2) (a) of the statutes is repealed.

SECTION 558m. 20.867 (2) (f) of the statutes, as affected by chapter 1, laws of 1981, is amended to read:

20.867 (2) (f) *Facilities maintenance and improvement.* Except for the ~~1979-81~~ 1981-83 fiscal biennium, wherein a total of ~~\$19,518,900~~ \$12,925,300 is authorized, ~~a sum sufficient biennially an amount~~ equal to 1.5% of the value of state buildings, structures, utility plants and equipment therein, excepting those under the jurisdiction of the department of transportation, as appraised by the department of administration in accordance with s. 13.48 (3), for the purposes of carrying out the long-range building program under s. 13.48. The amounts provided under this paragraph shall be transferred to the appropriation made by par. (x) to carry out the purposes of that paragraph. Notwithstanding s. 20.001 (3) (b), all amounts thus transferred and all prior appropriations made under the authority of this paragraph are nonlapsing.

SECTION 562m. 20.867 (3) (g) of the statutes is amended to read:

20.867 (3) (g) *Principal repayment and interest.* A sum sufficient from ~~moneys appropriated~~ program revenues and segregated funds to pay all principal ~~repayment~~ and interest costs on self-amortizing borrowing issued under s. 20.866 (2) which is not initially allocable to the respective programs.

SECTION 564. 20.867 (3) (w) of the statutes is amended to read:

20.867 (3) (w) *Bonding services*. From the capital improvement fund, a sum sufficient to pay the expenses of contracting and managing public debt and revenue obligations issued pursuant to ch. 18, and for reimbursing the legislative audit bureau for providing opinion audits of financial statements and the general fund for bond counsel services under s. 165.25 (4m).

SECTION 564d. 20.876 (1) (ka) of the statutes is amended to read:

20.876 (1) (ka) *Management improvement plans; general fund*. The amounts in the schedule for approved management improvement plans. All moneys transferred under s. 16.422 from appropriations financed from the general fund ~~for approved management improvement plans~~ shall be credited to this appropriation.

SECTION 564f. 20.876 (1) (kb) of the statutes is amended to read:

20.876 (1) (kb) *Management improvement plans; conservation fund*. The amounts in the schedule for approved management improvement plans. All moneys transferred under s. 16.422 from appropriations financed from the conservation fund ~~for approved management improvement plans~~ shall be credited to this appropriation.

SECTION 564h. 20.876 (1) (kc) of the statutes is amended to read:

20.876 (1) (kc) *Management improvement plans; transportation fund*. The amounts in the schedule for approved management improvement plans. All moneys transferred under s. 16.422 from appropriations financed from the transportation fund ~~for approved management improvement plans~~ shall be credited to this appropriation.

SECTION 564i. 20.876 (1) (kd) of the statutes is amended to read:

20.876 (1) (kd) *Management improvement plans; veterans trust fund*. The amounts in the schedule for approved management improvement plans. All moneys transferred under s. 16.422 from appropriations financed from the veterans trust fund ~~for approved management improvement plans~~ shall be credited to this appropriation.

SECTION 565. 20.877 of the statutes is amended to read:

**20.877 (title) Compensation and fringe benefit contingency reserves.** (1) (title) **PROVISION FOR COMPENSATION AND FRINGE BENEFIT ADJUSTMENTS.** (a) (title) *Employe compensation and fringe benefit contingency reserve; general purpose revenues*. There is appropriated to the employe compensation and fringe benefit contingency reserve fund, biennially, the amounts in the schedule for the purpose of financing future compensation and fringe benefit adjustments for state officers and employes as provided in s. 25.63. ~~Whenever any amount is expended from the appropriations made under s. 20.865 (1) (e), (ci), (cm) or (d), the same amount shall revert from this appropriation to the general fund.~~

SECTION 565m. 20.877 (1) (g) of the statutes is created to read:

20.877 (1) (g) *Employe compensation and fringe benefit contingency reserve; program revenues*. There is appropriated from the appropriate program revenue and program revenue-service accounts to the employe compensation and fringe benefit contingency reserve fund a sum sufficient for the purpose of financing future compensation and fringe benefit adjustments for state officers and employes as provided in s. 25.63.

SECTION 566. 20.877 (1) (q) of the statutes is created to read:

20.877 (1) (q) *Employe compensation and fringe benefit contingency reserve; segregated revenues*. There is appropriated from the appropriate segregated funds to the employe compensation and fringe benefit contingency reserve fund a sum sufficient for the purpose of financing future compensation and fringe benefit adjustments for state officers and employes as provided in s. 25.63.

SECTION 567. 20.903 of the statutes is amended to read:

**20.903 Forestalling appropriations.** (1) LIABILITIES CREATED ONLY BY AUTHORITY OF LAW. No Except as provided in s. 20.002 (11), no state agency, and no officer or employe thereof, may contract or create, either directly or indirectly, any debt or liability against the state for or on account of any state agency, for any purpose, without authority of law therefor, or prior to an appropriation of money by the state to pay the debt or liability, or in excess of an appropriation of money by the state to pay such debt or liability. Any arrangement made by a state agency, or any officer or employe thereof, with a vendor or contractor to deliver merchandise or provide services and inordinately delay the billing of for such merchandise or services for the purpose of circumventing budgetary intent is a violation of this subsection. Unless otherwise empowered by law, no state agency may authorize, direct or approve the diversion, use or expenditure, directly or indirectly, of any funds, money or property belonging to, or appropriated or set aside by law for a specific use, to or for any other purpose or object than that for which the same has been or may be so set apart. Nothing in this subsection may be construed to prevent the employment of the inmates or ordinary laborers at any institution to aid in the prosecution of work for which appropriations have been made. Whenever any state agency obtains information or evidence of a possible violation of this subsection, it shall provide the information or evidence to the joint committee on finance and the secretary of administration. Any person who violates this section may be fined not less than \$200 nor more than \$1,000 or imprisoned not less than one month nor more than 6 months, or both.

(2) ANTICIPATION OF ACCOUNTS RECEIVABLE. (a) Notwithstanding sub. (1), program revenue appropriations and corresponding segregated revenue appropriations from program receipts may be encumbered and moneys expended therefrom:

1. During the current fiscal year, in an amount not exceeding the total of the unencumbered appropriation balance plus the value of accrued accounts receivable outstanding, inventories and work in process, but not in excess of the amount allotted by the department of administration and estimated fee revenues. In this subdivision, "estimated fee revenues" are those revenues from fees anticipated to be charged during the current fiscal year which have not been assessed at the time of encumbrance or expenditure.

2. At the end of the current fiscal year, in an amount not exceeding the total of the unencumbered appropriation balance, plus the value of accrued accounts receivable outstanding, inventories and work in process.

(b) Notwithstanding sub. (1), the appropriations under ss. 20.395 (5) (es), 20.505 (1) (i), (ka), (kb), (kc), (kd) and (kg) and 20.855 (8) (k), (ka) and (kb) may be encumbered and moneys expended therefrom in an additional amount not exceeding the depreciated value of equipment for operations financed under ss. 20.395 (5) (es) and 20.505 (1) (i), (ka), (kb), (kc), (kd) and (kg) and the depreciated value of data processing hardware, software, and related equipment for regional data processing service center operations financed under s. 20.855 (8) (k), (ka) and (kb). The secretary of administration may require such statements of outstanding accounts receivable as he or she deems necessary before allotting sums in excess of the unencumbered appropriation balance. For the purposes of this subsection only, the secretary shall consider as accrued accounts receivable on each June 30, the federal aid funds allotted and \$8,000,000 of the revenues from imposts which the department of transportation has obligated under s. 84.01 (20).

SECTION 568. 20.903 (2) (c) of the statutes is created to read:

20.903 (2) (c) All expenditures authorized by this subsection are subject to the estimate approval procedure provided in s. 16.50 (2). Notwithstanding pars. (a) and (b), the maximum amounts that may be expended from a program revenue or program revenue-service appropriation which is limited to the amounts in the schedule are the amounts in the schedule, except as authorized by the department of administration under s. 16.515 or the joint committee on finance under s. 13.101.

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SECTION 569. 20.905 (2) of the statutes is amended to read:

20.905 (2) PROTESTED PAYMENT. ~~If any such a personal or individual check tendered to make any payment to the state~~ is not paid by the bank on which it is drawn, the person by whom the check has been tendered shall remain liable for the payment of the amount for which the check was tendered and for all legal penalties, additions and a charge of \$2 \$5, and in such case the officer to whom the check was tendered ~~shall lay the facts before may, if there is probable cause to believe that a crime has been committed, provide any information or evidence relating to the crime to~~ the district attorney of the county of ~~registration~~ having jurisdiction over the offense for prosecution as provided by law. ~~In case~~ If any license has been granted upon any such check, the license shall be subject to cancellation for the nonpayment of the check.

SECTION 570. 20.906 (4) of the statutes is amended to read:

20.906 (4) PENALTIES. If any state agency ~~neglects or refuses~~ fails to make such deposits of money, or to make such reports as are required by this section, the department of administration, with the approval of the governor, shall withhold all moneys due such state agency until this section is complied with; and upon such failure to make such deposits of money, the officer or ~~official~~ employee so failing shall be liable to the state treasurer for an amount equal to the interest upon the moneys so withheld from deposit at the same rate as that received by the state upon ~~state deposits~~ moneys held in the state investment fund, for the period for which such deposit is withheld; and such interest shall be a charge against ~~said~~ the officer or ~~official~~ employee and shall be deducted from his compensation.

SECTION 570d. 20.907 (1) of the statutes is amended to read:

20.907 (1) ACCEPTANCE AND INVESTMENT. Unless otherwise provided by law, all gifts, grants, bequests and devises to the state or to any state agency for the benefit or advantage of the state, whether made to trustees or otherwise, shall be legal and valid when approved by the joint committee on finance ~~acting under s. 13.101~~ and shall be executed and enforced according to the provisions of the instrument making the same, including all provisions and directions in any such instrument for accumulation of the income of any fund or rents and profits of any real estate without being subject to the limitations and restrictions provided by law in other cases; but no such accumulation shall be allowed to produce a fund more than 20 times as great as that originally given. When such gifts, grants, bequests or devises include common stocks or other investments which are not authorized by s. 881.01, such common stocks or other investments may be held and may be exchanged, invested or reinvested in similar types of investments without being subject to the limitations provided by law in other cases.

SECTION 570m. 20.907 (2) of the statutes is amended to read:

20.907 (2) CUSTODY AND ACCOUNTING. The state treasurer shall have custody of all such gifts, grants, bequests and devises in the form of cash or securities. The department of administration shall keep a separate account for each state agency receiving such gifts, grants, bequests and devises, including therein investments, accumulations, payments and any other transaction pertaining to such moneys. If no state agency is designated by the donor to carry out the purposes of the conveyance, the joint committee on finance ~~acting under s. 13.101~~ shall appoint a state agency to act as trustee.

SECTION 571. 20.907 (5) of the statutes is created to read:

20.907 (5) CUSTODY ACCOUNTS. (a) Except as provided in par. (b), all moneys which may come into the possession of any officer or employe of a state agency by virtue of his or her office or employment shall be deposited with the state treasurer, regardless of the ownership thereof.

(b) Paragraph (a) does not apply whenever the disposition of moneys is otherwise provided by law or whenever a state agency receives moneys incident to an authorized activity which are not appropriated and not directed to be deposited with the state treasurer and the agency adopts a rule which prescribes procedures in accordance with ch. 34 for the deposit of the moneys.

(c) The state treasurer shall establish an account for moneys received under par. (a) from each source and shall make payments and refunds from each account authorized under par. (e) as directed by the state agency depositing the moneys, unless otherwise provided by law. Each payment shall be made upon submission of a claim audited under s. 16.53 and paid by voucher from the appropriation under s. 20.865 (5) (j) in accordance with procedures established by the secretary of administration.

(d) Each account under this subsection shall be established in the appropriate fund, as determined by the state treasurer.

(e) An account may be established and moneys expended therefrom under this subsection for any of the following purposes:

1. A trust account or deposit containing moneys which are owned or payable or may be determined to be owned by or payable to persons other than the state.
2. Deposit of checks drawn upon accounts containing insufficient funds.
3. Sales taxes collected by state agencies prior to the date prescribed for payment to the department of revenue.
4. Insurance loss receipts.
5. Income-producing securities donated to the state for a specified purpose.
6. Advances from child caring institutions and counties and moneys receivable from counties under s. 46.037.
7. Moneys held as the result of audit settlements pending appropriate disposition.
8. Rental revenues and expenses for temporary rental property held by the state.
9. Advance payments of program revenues.
10. Advance federal aid project payments.
11. Medicare expenses chargeable to counties.
12. Any contingent fund authorized by law, not directed to be deposited under a specific appropriation.
13. Other purposes authorized by law.

(f) This subsection does not apply to bond revenues and expenditure of moneys therefrom. This subsection does not apply to deposit or expenditure of moneys for which a specific appropriation is made.

SECTION 572. 20.915 (3) of the statutes is amended to read:

20.915 (3) ANNUAL MILEAGE REDUCTION OR FUEL CONSERVATION PLAN. Every state agency which uses state automobiles or which authorizes the use of personal automobiles by agency employes under s. 20.916 (4) shall, no later than August 31, 1979, formulate and implement a plan to reduce the total annual mileage driven by such automobiles in the conduct of the agency's business at least 15 % below the mileage driven under agency auspices during fiscal year 1978-79. For state automobiles only, the agency may as an alternative provide a plan to reduce the total amount of fuel consumed by state automobiles used in the conduct of the agency's business at least 15 % below the amount consumed by state automobiles driven under agency auspices during fiscal year 1978-79. The plan shall provide that the required reduction shall be accomplished no later than December 31, 1979. When the plan has been prepared in final form, a copy of the plan shall be delivered to the department of administration. The department of administration shall review each plan submitted to it under this subsection to determine whether the plan

is likely to enable the submitting agency to achieve the required reduction in mileage driven or fuel consumed. The department of administration shall also make recommendations to the agency regarding establishment of an optimum balance between the use of state-owned and personal automobiles and the use of mass transit facilities for intracommunity and intercommunity travel necessary to conduct the agency's business. The department of administration shall monitor compliance with the plans submitted to the department under this subsection. The secretary of administration may approve, for cause, exceptions to the restrictions in this subsection. This subsection does not apply to automobiles used for law enforcement purposes by state law enforcement agencies or by state conservation wardens.

SECTION 572m. 20.915 (4) of the statutes is amended to read:

20.915 (4) ALCOHOL FUEL USE. As of January 1, 1984, no state agency may use as fuel for any state automobile driven under agency auspices any fuel which contains less than 10% ethanol derived from resources other than coal, natural gas or petroleum unless such fuel is unavailable in the area where the automobile is driven or the cost of such fuel exceeds the cost of other automobile fuel available in the area where the automobile is driven.

SECTION 574. 20.917 (1) (intro.) of the statutes is amended to read:

20.917 (1) (intro.) Whenever a person currently employed in a position in the civil service, other than on a provisional, part-time or emergency limited term basis, is ordered to relocate or is promoted to a different position in the civil service and the new place of employment requires in the judgment of the new appointing authority at the new place of employment, or in the judgment of the appointing authority in an intra-agency relocation or promotion, a change in location of residence, he shall authorize such employe to be reimbursed for the actual and necessary expense for the use of one owned automobile at the rate specified in s. 20.916 (4) or its equivalent if public transportation is used in transporting himself and the immediate members of his family to his new place of residence and for the preparation and transportation of his household effects to his new place of residence. The amount of reimbursement for moving household effects intrastate shall not exceed the maximum amount authorized by the rates prescribed by the transportation commission for the weight of goods moved and the distance involved.

SECTION 580. 20.917 (3) (a) (intro.) of the statutes is amended to read:

20.917 (3) (a) (intro.) An appointing authority may recommend payment of a temporary living quarters allowance for not to exceed 30 days to a person reporting to his or her initial employment in the civil service, other than on a provisional, emergency or limited term basis, if the person must establish a temporary residence at his or her headquarters city, subject to the following:

SECTION 583. 20.917 (5) of the statutes is created to read:

20.917 (5) (a) To encourage a balanced work force at the correctional facilities under s. 53.01, the department of health and social services may, from the appropriation under s. 20.435 (3) (a), reimburse an employe for any of the following expenses incurred during the first 30 days of employment or the first 30 days following successful completion of a preservice training program:

1. All or a portion of one month's rent, if the employe does not receive a temporary lodging allowance;
2. All or a portion of a rental security deposit, not to exceed one month's rent; and
3. The cost of transportation between the employe's home and headquarters city, not to exceed the cost of 4 round trips.

(b) Payments under this subsection may be made only with the prior written approval of the administrator of the division of personnel in the department of employment relations.

SECTION 583m. 20.920 (2) (a) of the statutes is amended to read:

20.920 (2) (a) From the contingent fund authorized by ss. 20.245 (1) (a), 20.255 (2) (a) 2, 20.435 (9) and 20.485 (1), institutional bills of less than \$100 may be paid, but no part of the fund may be used for payment of salary or wages of an employe. The amount allotted to each institution shall be deposited in a separate account to be known as the "contingent fund" in a public depository to be designated by the respective departments. Payment of institutional bills of less than \$100 shall be made by check drawn by the superintendent against such account, except as otherwise provided in this section, without the necessity of being first submitted to the department and to the department of administration for approval and audit. The superintendent shall file claim for reimbursement on a sworn voucher which shall be accompanied by the bills to be reimbursed. Bills paid by check need not be receipted by the payee, but the number of the check shall be placed on the bill. Bills may be paid by cash if approved by the superintendent and receipted by the payee. After approval of such claim by the department and audit by the department of administration, the contingent fund shall be reimbursed the total amount lawfully paid therefrom. If the superintendent pays any bill which is subsequently disapproved either by the department or by the department of administration as unlawful or unauthorized, the superintendent shall, within 10 days after notification by the department, personally reimburse the state for such unlawful or unauthorized payment. All moneys received in reimbursement for payments made from the contingent fund shall be deposited to the credit of the account and are added to the appropriation. Each respective department, with the approval of the department of administration, shall promulgate rules for carrying out this subsection. Each department shall require the superintendent of each institution to execute and file a surety bond in such sum as the joint committee on finance ~~acting under s. 13.101~~ requires, guaranteeing the faithful discharge of the superintendent's duties and obligations under this section, the premium to be paid out of the proper appropriation for each department. Any check drawn against the contingent fund of an institution which is not paid within 2 years of the date of its drawing because of inability to locate the drawee or failure to submit the check for payment, after the bank has been requested to stop payment, shall be treated as a canceled check and added to the checking account balance. A check for the amount so added shall be drawn in favor of the state treasurer and deposited in the general fund as a nonappropriated receipt. If the person entitled to a check so canceled presents a satisfactory claim therefor to the department, the department shall direct the department of administration to draw a warrant in payment of such claim and charge it to a sum sufficient appropriation for the repayment of canceled checks. In those institutions in which the financial and business affairs are under the jurisdiction of a financial or business officer, the contingent fund shall be under that officer's jurisdiction and all of the provisions under this paragraph applying to the superintendent shall apply to that officer.

SECTION 583p. 20.920 (2) (d) of the statutes is amended to read:

20.920 (2) (d) From the appropriation made in s. 20.435 (3) (g) there is allotted, subject to the approval of the joint committee on finance ~~acting under s. 13.101~~, such sums as may be necessary to be used as a contingent fund for the purchase of clothing, transportation, maintenance and other necessities for probationers and parolees who are without means to secure those necessities. The contingent fund shall be administered in conformity with the procedure provided in par. (a), except that there is a \$250 limitation on each payment from this fund. All payments from the fund may be made without first being submitted to the department of health and social services and the department of administration for approval and audit.

SECTION 583s. 20.920 (2) (e) of the statutes is created to read:



20.920 (2) (e) From the appropriation under s. 20.435 (5) (jj) there is allotted such sums as may be necessary to be used as a contingent fund for the payment of weekly wages to people working in sheltered employment. The contingent fund shall be administered in conformity with the procedure provided in par. (a) except there is a \$250 limitation on each payment from this fund. All payments from the fund may be made without first being submitted to the department of health and social services and the department of administration for approval and audit.

SECTION 584. 20.921 (1) (a) 2m of the statutes is created to read:

20.921 (1) (a) 2m. Payment of amounts owed to state agencies by the employe.

SECTION 585. 20.921 (1) (a) 2n of the statutes is created to read:

20.921 (1) (a) 2n. Payment of amounts owed as child support, maintenance payments or family support.

SECTION 586. 20.921 (2) of the statutes is amended to read:

20.921 (2) MANDATORY DEDUCTIONS. Whenever it becomes necessary in pursuance of any federal or state law or court-ordered assignment of income under s. 52.055 or 767.265 to make deductions from the salaries of state officers or employes ~~for any purpose~~, each state agency is responsible for making such deductions and paying over the total thereof for the purposes provided by the laws or orders under which they were made.

SECTION 587. 20.923 (3m) of the statutes is repealed.

SECTION 589. 20.923 (4) (e) 12 of the statutes is amended to read:

20.923 (4) (e) 12. University of Wisconsin system: ~~2~~ 3 vice presidents.

SECTION 590. 20.923 (4) (g) 9 of the statutes is repealed.

SECTION 590m. 20.923 (6) (af) of the statutes is created to read:

20.923 (6) (af) Administration, department of; board on aging and long-term care: executive director and staff.

SECTION 590s. 20.923 (6) (em) of the statutes is amended to read:

20.923 (6) (em) Legislative audit bureau: ~~legislative audit directors~~ legislative auditors, assistants and clerical employes.

SECTION 591. 20.923 (6) (hm) of the statutes is repealed.

SECTION 592g. 20.923 (13) of the statutes is repealed.

SECTION 594. 20.928 (title) of the statutes is created to read:

**20.928 (title) Supplementation procedure for compensation and fringe benefits.**

SECTION 597e. 21.49 (2) (b) and (c) of the statutes are amended to read:

21.49 (2) (b) Eligible for educational benefits from the U.S. veterans administration;  
or

(c) An individual with a baccalaureate degree or its equivalent; or

SECTION 597m. 21.49 (2) (d) of the statutes is created to read:

21.49 (2) (d) Eligible for educational assistance from a program established under 10 USC 2131 if he or she first enlisted with the guard after June 30, 1981.

SECTION 597s. 21.49 (4) (c) of the statutes is created to read:

21.49 (4) (c) A guard member is no longer eligible for benefits under this section beginning 8 years after the date of his or her initial enlistment to the guard.

SECTION 598. 23.09 (9) of the statutes is repealed.

SECTION 598m. 23.09 (17m) (i) of the statutes is amended to read:

23.09 (17m) (i) Expenditures under this ~~section~~ subsection on any land withdrawn from s. 28.11 and the title to which is transferred by the county to other than a public agency shall ~~become a charge against the county and the secretary of state shall include such unpaid sums in the state tax levy of the respective counties in subsequent years~~ be reimbursed to the department in an amount not to exceed the prorated value of the remaining useful lifetime of the habitat development.

SECTION 599. 23.09 (20) of the statutes is repealed.

~~SECTION 599m. 23.09 (24) of the statutes is created to read:  
23.09 (24) WISCONSIN CIVILIAN CONSERVATION CORPS. The department and natural resources board shall develop a Wisconsin civilian conservation corps work program under s. 23.48.~~ Vetoed in Part

SECTION 599s. 23.09 (27) of the statutes is created to read:

23.09 (27) STATE PARK AND FOREST ROAD AIDS. (a) *Department may provide aids.* The department may provide state park and forest road aids to any town or county which applies under par. (b) for the repair, renovation or maintenance of a town or county highway located within the boundaries of any state park, state forest or other property under the jurisdiction of the department.

(b) *Application.* The governing body of a town or county may apply to the department for state park and forest road aids by submitting an application on a form and in a manner prescribed by the department.

(c) *Limitation; priority.* The department may not provide state park and forest road aids to a town or county which exceed the actual cost of the repair, renovation or maintenance. If applications for state park and forest road aids exceed the funds available under s. 20.370 (4) (at) in any fiscal year, the department may provide state park and forest road aids to any town or county in an amount which is less than the actual cost of the repair, renovation or maintenance and the department may establish and apply priority criteria for providing state park and forest road aids.

SECTION 601. 23.31 (2) of the statutes is amended to read:

23.31 (2) (a) The debt shall be contracted for in the manner and form the legislature prescribes.

(b) It is the intent of the legislature that state debt not to exceed \$56,055,000 in the 12-year period from 1969 to 1981 may be incurred for the comprehensive provision of outdoor recreation facilities as provided by under s. 23.30 but any unappropriated or uncommitted portion of this debt shall be continued beyond 1981.

SECTION 602m. 23.31 (2) (c) of the statutes is created to read:

23.31 (2) (c) It is the intent of the legislature that state debt not to exceed \$60,000,000 in the 10-year period from July 1, 1981 to July 1, 1991, may be incurred to support outdoor recreation land acquisition activities.

SECTION 602n. 23.35 of the statutes is repealed and recreated to read:

**23.35 Olympic ice rink.** (1) The department has sole responsibility for the Olympic ice rink, the land inside the rink and all land and facilities directly related to its operation including mechanical equipment, housing for mechanical equipment, piping and electrical lines. No person may use the Olympic ice rink or land or facilities related to its operation without the approval of the department.

(2) The state fair park board shall make the youth building adjacent to the rink available to the department for use during the skating season. The state fair park board is responsible for grounds maintenance, including snow plowing.

(3) The department shall reimburse the state fair park board for expenses incurred directly as a result of the cooperative efforts required by sub. (2). The state fair park board and the department shall execute a written agreement specifying the details of the cooperation required by this section.

(4) Operating costs of the Olympic ice rink shall be paid from the appropriation under s. 20.370 (1) (ea), (ed) and (mu).

~~SECTION 602p. 23.45 (1) of the statutes is amended to read:~~

~~23.45 (1) The board may establish residential facilities known as conservation work camps for persons employed on any conservation work project. The facilities may be located either on or off the site of a work project. No person who is not employed on a conservation work project or Wisconsin civilian conservation corps work project may reside in a conservation work camp.~~

~~SECTION 602r. 23.48 of the statutes is created to read:~~

~~23.48 Wisconsin civilian conservation corps. (1) DEFINITION. As used in this section, "public forested land" means any well blocked area of forested federal, state, county or other public land. This term is not limited to land the primary use of which is silviculture and the growing of recurring forest crops.~~

~~(2) OBJECTIVES. The department and the natural resources board shall develop a Wisconsin civilian conservation corps program to promote the objective of providing employment in high unemployment areas with an emphasis on the employment of youth and the objective of performing work projects with a major emphasis on forest productivity improvement.~~

~~(3) RESPONSIBILITIES OF THE NATURAL RESOURCES BOARD. (a) Guidelines for program administration. The natural resources board, with the advice of the conservation work projects board, shall establish guidelines for the administration of the Wisconsin civilian conservation corps program.~~

~~(b) Guidelines for work project selection. The natural resources board, with the advice of the conservation work projects board, shall establish guidelines for the selection of Wisconsin civilian conservation corps work projects. These guidelines shall include:~~

- ~~1. Criteria for the evaluation of the need for a Wisconsin civilian conservation corps work project.~~
- ~~2. The rate of unemployment in the area where a Wisconsin civilian conservation corps work project is proposed.~~
- ~~3. The short- and long-term costs and benefits of a Wisconsin civilian conservation corps work project.~~
- ~~4. The availability of federal funds or funding from other sources to support a Wisconsin civilian conservation corps work project.~~

~~(c) Work project selections. The natural resources board, with the advice of the conservation work projects board, shall select Wisconsin civilian conservation corps work projects based on guidelines established under par. (b).~~

~~(4) RESPONSIBILITIES OF THE DEPARTMENT. (a) Administration. The department shall administer the Wisconsin civilian conservation corps program consistent with this section and guidelines established by the natural resources board.~~

~~(b) Implementation. The department, with the advice of the conservation work projects board, shall implement Wisconsin civilian conservation corps work projects.~~

~~(c) Work plans. The department shall develop a work plan for each Wisconsin civilian conservation corps work project. The major emphasis in each work plan shall be forest productivity improvement. The work plan shall provide that Wisconsin civilian conservation corps work activities are conducted on public forested land unless the work activities are funded under par. (j). Wisconsin civilian conservation corps work activities on public~~

forested land may include forest improvement, forest habitat improvement and forest-related recreation improvement work activities. The work plan shall include various Wisconsin civilian conservation corps work activities in an area designed to be performed by a Wisconsin civilian conservation corps work project crew.

(d) *Supervision and reports.* The department shall supervise each Wisconsin civilian conservation corps work project and shall report periodically to the natural resources board regarding these projects.

(e) *Work camps.* If necessary for the performance of a Wisconsin civilian conservation corps work project, the department may establish residential facilities known as Wisconsin civilian conservation corps work camps for persons employed on the work project and the department may enter into agreements to utilize youth camps, conservation work camps or other residential facilities for persons employed on the work project. The department may not expend funds under s. 20.370 (1) (gq), (gr) or (gy) to construct, acquire or improve residential facilities under this paragraph.

(f) *Employment outside the civil service; wages; maximum term of employment.* The department shall employ Wisconsin civilian conservation corps employees outside the civil service. The department shall pay these employees at the prevailing minimum wage except for a limited number of employees authorized by the natural resources board to serve as crew leaders who may receive a higher compensation. The maximum term of employment for a Wisconsin civilian conservation corps employee is one year.

(g) *Employment qualifications.* The department shall establish appropriate qualifications for Wisconsin civilian conservation corps employees. In order to qualify for employment, a person shall be otherwise unemployed and not enrolled in any school, college or university. The department shall place primary emphasis on the employment of persons 16 to 26 years of age. The department shall require a physical examination before considering a person for employment.

(h) *Other sponsors.* 1. The department shall seek funding from other sponsors to finance Wisconsin civilian conservation corps work activities.

2. The department may enter into agreements with a state or local governing body or agency or with a nonprofit agency to finance Wisconsin civilian conservation corps work activities.

3. The department may enter into agreements with the federal government to finance Wisconsin civilian conservation corps work activities.

(i) *Funding of work activities on public forested land.* The department may fund Wisconsin civilian conservation corps work activities from the appropriation under s. 20.370 (1) (gr) only if the work activities are conducted on public forested land.

(j) *Funding of other work activities.* The department may fund Wisconsin civilian conservation corps work activities from the appropriations under s. 20.370 (1) (gg) or (gy) or from any other appropriation of the department except the appropriation under s. 20.370 (1) (gr) regardless of whether the work activities are conducted on public forested land.

(5) **RESPONSIBILITIES OF THE CONSERVATION WORK PROJECTS BOARD.** The conservation work projects board shall provide advice in a timely manner to the natural resources board and the department regarding the Wisconsin civilian conservation corps program and which serves the objectives of the program including advice on:

(a) *Guidelines for program administration.* The establishment of guidelines for the administration of the Wisconsin civilian conservation corps program by the natural resources board.

(b) *Guidelines for work project selection.* The establishment of guidelines for the selection of Wisconsin civilian conservation corps work projects by the natural resources board.

Vetoed  
in Part

~~(c) *Work project selection.* The selection of Wisconsin civilian conservation corps work projects by the natural resources board.~~

~~(d) *Implementation.* The implementation of Wisconsin civilian conservation corps work projects by the department.~~

SECTION 613. 25.17 (1) (em) of the statutes is amended to read:

25.17 (1) (em) Employe compensation and fringe benefit contingency reserve fund (s. 25.63);

SECTION 614. 25.17 (1) (sp) of the statutes is repealed.

SECTION 615. 25.17 (3) (a) of the statutes is amended to read:

25.17 (3) (a) Invest any of the following funds: 1. fixed retirement investment trust; 2. state life fund; 3. veterans trust fund, in loans, securities and any other investments authorized by s. 206.34 of the 1969 statutes 620.22, and in bonds or other evidences of indebtedness or preferred stock of companies engaged in the finance business whether as direct lenders or as holding companies owning subsidiaries engaged in the finance business, ~~provided such investments meet all other requirements of s. 206.34 of the 1969 statutes. Such investments previously.~~ Investments permitted by s. 206.34 (1) (m) or sub. (4) are ~~deemed to be~~ permitted investments under this subsection.

SECTION 617. 25.17 (10) of the statutes is amended to read:

25.17 (10) ~~Notwithstanding s. 206.34 (1) (c) of the 1969 statutes whenever~~ If a building constitutes any part of the security for a loan made by the investment board under either s. 25.17 (3) (bh) or ~~206.34 (1) (c) of the 1969 statutes~~ 620.22 (2), such building shall be kept insured for at least the unpaid amount of the loan or such larger amount as may be necessary to comply with any coinsurance clause inserted in or attached to the policy. When the full insurable value of the building is less than the unpaid amount of the loan, such building shall be kept insured for the full insurable value thereof.

SECTION 621m. 25.40 (1) (a) of the statutes is amended to read:

25.40 (1) (a) All collections of the department of transportation or the transportation commission except net sales taxes as determined in s. 77.61 (4) (b) ~~or (c)~~ and other revenues specified in ch. 218 derived from the issuance of licenses under the authority of the commissioner of banking which shall be paid into the general fund.

SECTION 622. 25.40 (1) (b) of the statutes is amended to read:

25.40 (1) (b) Motor vehicle fuel and general aviation fuel taxes and other revenues collected under ch. 78 minus the costs of collecting delinquent taxes from nonresidents under s. 73.03 (28).

SECTION 623. 25.40 (1) (ig) of the statutes is created to read:

25.40 (1) (ig) All moneys forwarded by county treasurers from forfeitures, fines and penalties under ch. 348, as provided in s. 59.20 (8m).

SECTION 624m. 25.40 (2) of the statutes is amended to read:

25.40 (2) Payments from the transportation fund, except for appropriations made by ss. 20.115 (1) (q), 20.255 (1) ~~(q) and (r)~~, 20.285 (1) (x), 20.292 (1) (u), 20.370 (2) ~~(dq) and (4) (br)~~, 20.505 (2) (q) and (3) (b) (at) and (bt), 20.566 (1) (u), ~~20.765 (2) (u)~~ and 20.855 (4) (q) ~~and (r)~~ or authorized by s. 25.17 shall be made only on the order of the secretary of transportation, from which order the secretary of administration shall draw a warrant in favor of the payee and charge the same to the transportation fund.

SECTION 625. 25.50 (3) (b) of the statutes is amended to read:

25.50 (3) (b) On the dates specified and to the extent to which they are available, subject to s. 16.53 (10), funds payable to local governments under ss. ~~70.996 (1m)~~, 79.02 (2) ~~(a) and (am)~~, 79.03 (1), 79.04, 79.06, 79.08, and 79.10 (1) and (3) and 79.17 (1) and (3) shall be considered local funds and, pursuant to the instructions of local officials,

may be paid into the separate accounts of all local governments established in the local government pooled-investment fund and, pursuant to the instructions of local officials, to the extent to which they are available, be disbursed or invested.

SECTION 626. 25.63 of the statutes is amended to read:

**25.63 (title) Employe compensation and fringe benefit contingency reserve fund.** All moneys appropriated under s. 20.877 (1) (a), ~~less moneys reverting to the general fund under that paragraph, (g) and (q) constitute the employe compensation and fringe benefit contingency reserve fund. Moneys in this fund are reserved to finance future compensation and fringe benefit adjustments for state officers and employes approved by [approved by] and shall be transferred to the appropriations under s. 20.865 (1) (c), (ca), (ca), (d), (d), (e), (e), (f), (f), (g), (g), (h), (h), (i), (i), (j), (j), (k), (k), (l), (l), (m), (m), (n), (n), (o), (o), (p), (p), (q), (q), (r), (r), (s), (s), (t), (t), (u), (u), (v), (v), (w), (w), (x), (x), (y), (y), (z), (z), (aa), (aa), (ab), (ab), (ac), (ac), (ad), (ad), (ae), (ae), (af), (af), (ag), (ag), (ah), (ah), (ai), (ai), (aj), (aj), (ak), (ak), (al), (al), (am), (am), (an), (an), (ao), (ao), (ap), (ap), (aq), (aq), (ar), (ar), (as), (as), (at), (at), (au), (au), (av), (av), (aw), (aw), (ax), (ax), (ay), (ay), (az), (az), (ba), (ba), (bb), (bb), (bc), (bc), (bd), (bd), (be), (be), (bf), (bf), (bg), (bg), (bh), (bh), (bi), (bi), (bj), (bj), (bk), (bk), (bl), (bl), (bm), (bm), (bn), (bn), (bo), (bo), (bp), (bp), (bq), (bq), (br), (br), (bs), 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~~SECTION 626m. 27.01 (2r) (a) 5 of the statutes is amended to read:  
27.01 (2r) (a) 5. The fee for the annual admission sticker is \$10 for each vehicle bearing a Wisconsin registration plates plate and \$15 for all other vehicles. The fee for the daily admission sticker is \$2 for vehicles bearing a Wisconsin registration plates plate and \$3 for all other vehicles.~~

SECTION 627m. 27.01 (2r) (b) 5 of the statutes is amended to read:  
27.01 (2r) (b) 5. Any vehicle within ~~Aztalan, First Capitol, Lizard Mound and Lost Dauphin state parks and such other~~ state parks or state park areas designated by the department; or

SECTION 627s. 27.01 (9) of the statutes is created to read:  
27.01 (9) TRANSFER OF STATE PARK LAND TO MUNICIPALITIES. The department may not transfer the ownership of any state park or land within any state park to any county, city, village or town unless it receives the approval of the joint committee on finance regarding the appropriate level of reimbursement to be received by the state to reflect the state's cost in acquiring and developing the state park or land within the state park.

SECTION 631b. 29.60 (2) of the statutes is amended to read:  
29.60 (2) No person may take, capture or kill or attempt to take, capture or kill any wild animal with the aid of dynamite or any other explosive or poison gas, or set any dynamite or other explosives near or on any beaver or muskrat houses. Possession or control of explosives or poison gases in places described in sub. (1) is prima facie evidence of intent to violate this subsection. Any person who violates this subsection shall be fined not more than \$300 or imprisoned not more than 30 days or both. ~~In addition, any person who violates this subsection shall pay a natural resources assessment equal to 75% of the amount of the fine.~~

SECTION 631d. 29.64 of the statutes is amended to read:  
**29.64 Resisting conservation warden.** Any person who assaults or otherwise resists or obstructs any conservation warden in the performance of duty shall be fined not more than \$500 or imprisoned not more than 9 months or both ~~and, in addition, the person shall pay a natural resources assessment equal to 75% of the amount of the fine.~~

SECTION 631f. 29.641 of the statutes is amended to read:  
**29.641 False impersonation of warden.** Any person who falsely represents himself or herself to be a conservation warden or who assumes to act as a warden without having been first duly appointed shall be fined not more than \$100 or imprisoned not more than 90 days or both ~~and, in addition, the person shall pay a natural resources assessment equal to 75% of the amount of the fine.~~

SECTION 631h. 29.642 (1) (a) of the statutes is amended to read:  
29.642 (1) (a) Shall forfeit not more than \$200; and

SECTION 631j. 29.642 (1) (b) of the statutes is repealed.

SECTION 631k. 29.642 (2) of the statutes is amended to read:

29.642 (2) Any person who obtains any license under this chapter during the period of time when that license has been revoked by any court shall be fined not more than \$200 or imprisoned not more than 90 days or both ~~and, in addition, the person shall pay a natural resources assessment equal to 75% of the amount of the fine.~~

SECTION 631m. 29.643 (1) of the statutes is amended to read:

29.643 (1) Shall be fined not more than \$200 or imprisoned not more than 90 days or both; and

SECTION 631p. 29.643 (2) of the statutes is repealed.

SECTION 631r. 29.644 of the statutes is amended to read:

**29.644 Breaking seals of department.** Any person who breaks, removes or interferes with any seal or tag attached to any animal, carcass, article or other thing by the department, or who meddles or interferes with any animal, carcass, article or other thing with such seal or tag attached, or who counterfeits any such seal or tag, attached or unattached, shall be fined not more than \$500 or imprisoned not more than 90 days or both ~~and, in addition, the person shall pay a natural resources assessment equal to 75% of the amount of the fine.~~

SECTION 631t. 29.99 (1) of the statutes is amended to read:

29.99 (1) For the unlawful use of any gill net or trammel in taking, catching or killing fish of any variety in any waters, or for the use of any net in taking, catching or killing trout of any variety in inland waters, by a fine of not more than \$500 or imprisonment for not more than 9 months or both ~~and, in addition, by the payment of a natural resources assessment equal to 75% of the amount of the fine.~~

SECTION 631v. 29.99 (2) (a) of the statutes is amended to read:

29.99 (2) (a) By a forfeiture of not more than \$100; and

SECTION 631w. 29.99 (2) (b) of the statutes is repealed.

SECTION 631x. 29.99 (3) to (9) of the statutes are amended to read:

29.99 (3) For the violation of any statutes or any department order relating to the hunting, taking, transportation or possession of game or game birds of all kinds, by a forfeiture of not more than \$100 ~~and, in addition, by the payment of a natural resources assessment equal to 75% of the amount of the forfeiture.~~

(4) For any violation of any provision of this chapter or any department order for which no other penalty is prescribed, by a forfeiture of not more than \$100 ~~and, in addition, by the payment of a natural resources assessment equal to 75% of the amount of the forfeiture.~~

(5) For the violation of any statute or any administrative rule relating to the hunting or shooting of deer with the aid of artificial light or with the aid of an airplane, the snaring of deer or the taking or possession of lake sturgeon, or for violation of s. 29.13 (5), 29.48 or 29.49, by a fine of not more than \$200 or imprisonment for not more than 90 days or both, and a mandatory 3-year revocation of all licenses issued under this chapter ~~and, in addition, by the payment of a natural resources assessment equal to 75% of the amount of the fine.~~

(6) For the violation of any statutes or any department order relating to fishing, or the possession of game fish, except where some other penalty is specifically provided, by a forfeiture of \$100 ~~and, in addition, by the payment of a natural resources assessment equal to 75% of the amount of the forfeiture.~~

(7) Any violation of s. 29.33 or any department order regulating commercial fishing in outlying waters, by a forfeiture of not more than \$500 ~~and, in addition, by the payment of a natural resources assessment equal to 75% of the amount of the forfeiture.~~

(8) For the violation of any statute or any department order relating to the registration of any wild animal, by a forfeiture of not more than \$100 ~~and, in addition, by the payment of a natural resources assessment equal to 75% of the amount of the forfeiture.~~

(9) For any violation of any statute or of any department order relating to snag lines, snag hooks or snag poles, by a forfeiture of not more than \$200 ~~and, in addition, by the payment of a natural resources assessment equal to 75% of the amount of the forfeiture.~~

SECTION 631y. 29.997 (1) (a) of the statutes is amended to read:

29.997 (1) (a) ~~On or after January 1, 1980, if~~ If a court imposes a fine or forfeiture for a violation of a provision of this chapter or a rule or order issued under this chapter ~~where the payment of a natural resources assessment is required,~~ the court shall impose a natural resources assessment equal to 75% of the amount of the fine or forfeiture.

SECTION 639m. 30.92 (4) (b) 3, 6 and 7 of the statutes are amended to read:

30.92 (4) (b) 3. No more than 10% of the state funds available under s. 20.370 (4) (bc) and (br) for recreational boating facilities aids under this section may be expended for feasibility studies in one year. No more than one percent of the state funds available under s. 20.370 (4) (bc) and (br) for recreational boating facilities aids under this section may be expended for any one feasibility study in one year.

6. Thirty percent of the state funds allocated under ss. 20.370 (4) (bc) and (br) and 20.866 (2) (tp) available for recreational boating facilities aids under this section shall be expended for Great Lakes (including Chequamegon Bay and Green Bay) projects. Thirty percent of the state funds allocated under ss. 20.370 (4) (bc) and (br) and 20.866 (2) (tp) available for recreational boating facilities aids under this section shall be expended for inland waters, as classified under s. 29.01 (4), projects. Forty percent of the state funds allocated under ss. 20.370 (4) (bc) and (br) and 20.866 (2) (tp) available for recreational boating facilities aids under this section shall be expended for projects deemed necessary by the commission without regard to location. Any moneys not obligated by the end of the 3rd quarter of the fiscal year for which they were allocated may be used by the department, with the approval of the commission, for purposes of funding other recreational boating facilities projects.

7. ~~Boating facilities projects~~ Projects qualifying for funding under ss. 20.370 (4) (bc) and (br) and 20.866 (2) (tp) funds available for recreational boating facilities aids under this section include, but are not limited to, construction and improvement of harbors of refuge on the Great Lakes; accommodation of motor-powered recreational watercraft; and construction and improvement of public access and related facilities on inland waters where motor-powered recreational watercraft are permitted.

SECTION 640. 33.14 (1), (2) (intro.) and (c) and (3) of the statutes are amended to read:

33.14 (1) (title) PROPOSED PLAN. ~~Where~~ If specific lake protection and rehabilitation measures developed under s. 33.13 appear feasible, ~~and if financial assistance under s. 33.16 is sought,~~ then the commissioners of the district shall develop a proposed plan based upon the recommendations of the department and the formulated alternatives or upon other technically valid bases.

(2) (title) SUBMISSION OF PROPOSED PLAN. (intro.) Prior to adopting a plan by formal resolution under s. ~~33.29~~ 33.15, the commissioners shall:

(c) ~~After carrying out pars. (a) and (b), make~~ Make application for any required permits, and ~~may file an application for financial aid, and request for a hearing.~~



(3) (title) DEPARTMENT REVIEW. Within ~~40~~ 21 days after receipt of the proposed plan and applications the department shall ~~schedule a hearing in the area not more than 90 days later~~ advise the lake district if additional information is needed to conduct its technical and environmental review of the proposal. If an environmental impact statement is required, ~~notice of the scheduled hearing shall contain a statement that an environmental impact statement is required~~ the department shall complete its environmental impact review before taking final action on the proposed plan.

SECTION 641. 33.14 (3m) of the statutes is created to read:

33.14 (3m) NOTICE; HEARING. The department shall schedule a hearing on the proposed plan or follow the notice procedures under s. 31.06 (1).

SECTION 642. 33.14 (4) (intro.) of the statutes is amended to read:

33.14 (4) (title) CONSIDERATIONS AT HEARING. (intro.) ~~The~~ If a hearing is conducted, the department shall consider the following ~~at the hearing~~:

SECTION 643. 33.14 (4) (a) of the statutes is repealed and recreated to read:

33.14 (4) (a) Compliance with s. 1.11;

SECTION 644. 33.14 (5) of the statutes is amended to read:

33.14 (5) (title) APPROVAL. Within 60 days following the hearing, the department shall by order either approve, approve with modification or disapprove the plan. The department shall concurrently rule on all permit applications ~~and applications for financial aid.~~

SECTION 645. 33.15 (1) and (2) of the statutes are amended to read:

33.15 (1) No plan developed under this subchapter which involves financial assistance under s. 33.16 may be formally adopted for implementation by the district until the department ~~has approved~~ approves the plans or whatever modifications it ~~believes~~ finds appropriate. ~~The department in issuing an order shall provide a range of technically and economically feasible alternatives for consideration by the applicant.~~ If the department modifies an application ~~on an~~ by order, it shall clearly explain reasons why the modifications ~~in approach~~ are being made.

(2) Following receipt of the department's order, the district may adopt ~~a the approved plan falling within departmental alternatives under sub. (1)~~ the approved plan by resolution, in which case it shall forward a copy of the resolution and plan to the department.

SECTION 646. 33.15 (4) (intro.) of the statutes is renumbered 33.15 (4) and amended to read:

33.15 (4) Implementation work ~~shall~~ may consist of, ~~without limitation because of enumeration:~~ any work in the lake or its watershed which will protect or enhance the opportunities for public enjoyment of the lake.

SECTION 647. 33.15 (4) (a) to (f) of the statutes are repealed.

SECTION 648. 33.16 (1) of the statutes is amended to read:

33.16 (1) No aids granted under this section may be ~~such in an amount so as to reduce which reduces~~ a district's share of project cost to less than 10%, except that up to 100% funding may be allowed on high-risk experimental projects where eventual results are highly uncertain. ~~Any No grant made shall not may~~ exceed 10% of state funds available in any one year, and shall not the biennium. ~~No grant may~~ be renewable in future years bienniums unless the council finds that a special situation exists and recommends renewal of a grant.

SECTION 649. 33.16 (2) of the statutes is repealed.

SECTION 650. 33.16 (4) (e) of the statutes is amended to read:

33.16 (4) (e) Whether experimental techniques involving a high risk of failure are being undertaken; and

SECTION 651. 33.16 (5) of the statutes is renumbered 33.16 (4) (f) and amended to read:

~~33.16 (4) (f) The department shall approve, approve with modifications or disapprove each application for financial assistance within 60 days following the hearing. It shall make a finding whether the preponderance of evidence presented shows that, where applicable to the situation under review, Whether~~ contamination from deleterious substances emitted by residential, municipal or industrial sources, sedimentation, siltation and nutrient fertilization from uncontrolled agricultural sources or septic tanks, groundwater, municipal and industrial wastes and other drainage sources, and any other sources responsible for lake degradation, are or will be substantially eliminated as a source of lake degradation, in order that any lake rehabilitated under this chapter may be protected or maintained in its protected or rehabilitated state. ~~If the department finds in the affirmative and further finds that the application meets such other relevant requirements under sub. (4), it shall approve the application, certify to the district the amount of funds, if any, awarded to it, and set forth modifications, if any, that may be necessary. If the department does not find in the affirmative or for any other reason under sub. (4) it deems the application deficient, it shall deny the application in writing, clearly setting forth its reasons for doing so.~~

SECTION 652. 33.16 (5) of the statutes is created to read:

33.16 (5) The department shall act upon each application for financial assistance within 60 days following plan approval and issuance of permits unless lack of adequate funding or the need to invoke a priority system dictates a delay in determination. Plan disapproval, delay in funding or other action not approving the application shall be explained by the department to the district in writing.

SECTION 653. 33.16 (6) of the statutes is amended to read:

33.16 (6) ~~Financial~~ The department shall allocate financial assistance under this section ~~shall be so allocated that not less than 25 % of said the moneys allocated biennially shall be spent on districts north of a line running east-west across the state and commencing at the southernmost point on the southern boundary of the city of Stevens Point. This section does not preclude the full utilization of available funds if all applications north of this line aggregate less than 25 % of the biennial appropriations.~~

SECTION 654. 33.17 of the statutes is amended to read:

**33.17 Unfunded application to continue.** (1) Aid applications approved but unfunded because of a lack of funds ~~shall remain eligible for future funding, subject to such updating as the department may require. A lack of funding under this subchapter shall does not preclude a district from implementing all or part of an approved plan with funding from any other source but these projects are not eligible for retroactive financial assistance.~~

(2) Applications ~~The department shall return rejected shall be returned applications~~ to the district with a concise statement of the reasons for rejection, ~~but may be resubmitted at a future time.~~

SECTION 655. 33.26 (8) of the statutes is repealed.

SECTION 656. 33.265 of the statutes is created to read:

**33.265 Notice and filing requirements.** If a district is created or its boundaries altered, the board of commissioners shall file a copy of the authorizing document, including a legal description of the boundary, with the register of deeds in each county where the district is situated, with the department of natural resources and with the department of revenue.

Vetoed  
in Part

~~SECTION 656p. 33.28 (2) (a) of the statutes, as affected by chapter ... (1981 Assembly Bill 244), laws of 1981, is amended to read:~~

~~33.28 (2) (a). One person appointed by the county board who is a supervisor of the county soil and water conservation district member of the county land conservation committee or is nominated by the supervisors of the soil and water conservation district county land conservation committee and appointed by the county board.~~

SECTION 657. 33.30 (3) (c) of the statutes is amended to read:

33.30 (3) (c) Vote a tax upon all taxable property within the district for the costs of operation for the coming year, which tax shall not exceed a rate of 2.5 mills of equalized valuation as determined by the department of revenue and reported to the district board. The tax shall be apportioned among the municipalities having property within the district on the basis of equalized full value, and a report shall be delivered by the treasurer, by ~~October~~ November 1, by certified statement to the clerk of each municipality having property within the district for collection.

SECTION 658. 33.33 (1) of the statutes is amended to read:

33.33 (1) MERGER. Any district may merge be merged with a contiguous district. The procedure of s. 66.02 shall apply to any proposed merger. The by resolution passed by a four-fifths vote of all the members of each board of commissioners. At the next annual meeting the electors and property owners shall vote on whether to ratify the merger. If a majority of the electors and property owners present and voting in each district endorse the merger, it takes effect. Following ratification, the boards of commissioners of merging districts shall act jointly until the next annual meeting, at which time the board of the merged district shall be conformed to the requirements specified in s. 33.28. The governing body of the county, town, village or city having the largest portion by valuation within the district shall make the appointments under s. 33.28 (2). The bylaws of the larger of the merging districts apply to the newly created district.

SECTION 658m. 34.09 of the statutes is amended to read:

**34.09 Financial institutions eligible as public depositories.** Every state bank, savings and loan association, savings and trust company and mutual savings bank and every national bank located in this state which files with the commissioner of banking an agreement that it will pay over to the state deposit fund the amounts required to be paid on average daily balances of public deposits under s. 34.08 (2) and complies in all respects as to public deposits with ch. 34, which accepts payments made by the state under s. 16.412 and which meets the qualifications required by the rules of the commissioner of banking, may be designated as a public depository and may receive and hold public deposits, subject to this chapter, in an amount not in excess of the amount specified by the commissioner of banking. The commissioner of banking or commissioner of savings and loan, upon request, shall advise any interested persons what banks and savings and loan associations have qualified to become public depositories and any such bank or savings and loan association may thereafter be designated by any governing board as a public depository. The commissioner of banking shall have the same powers and duties with regard to making and continuing public deposits in national banks and in savings and loan associations as the powers and duties exercised and performed by the commissioner with regard to public deposits in state banks.

SECTION 665m. 35.24 (3) of the statutes is amended to read:

35.24 (3) Reprints of the feature article shall be bound in paper covers and shall be in such quantity as is authorized for each specific reprint by the joint committee on finance ~~acting under s. 13.101~~ on the basis of funds allotted by the committee for this purpose.

SECTION 673g. 36.11 (3) (d) of the statutes is renumbered 36.11 (3) (d) 2.

SECTION 673j. 36.11 (3) (d) 1 of the statutes is created to read:

36.11 (3) (d) 1. Except as provided in subd. 2, the board shall require that a \$10 fee accompany each application for admittance from persons seeking admittance to any school within the system as new freshmen or as transfer students from outside the system. The board may exempt from the fee under this subdivision, on the basis of financial need, a maximum of 5% of the applications in any school year.

SECTION 673m. 36.25 (5) of the statutes is amended to read:

36.25 (5) **BROADCASTING STATION WHA AND WHA-TV, EXPERIMENTAL TELEVISION.** The board of regents, as licensee, shall manage, operate and maintain broadcasting station WHA and WHA-TV and shall enter into an affiliation agreement with the educational communications board pursuant to s. 39.14 to provide that the board of regents shall grant the educational communications board the part-time use of equipment and space necessary for the operations of the state educational radio and television networks. The board of regents shall maintain a separate account for each revenue source for broadcasting station WHA and for WHA-TV which permits identification of the functions or activities for which expenditures are made. The board of regents shall maintain annual records of its expenditures for programming purposes by type of programming and by source of revenue.

~~SECTION 673t. 36.25 (7) of the statutes is repealed and recreated to read:  
36.25 (7) **SOIL AND WATER CONSERVATION.** The board is responsible for research and educational programs regarding soil and water conservation. The board shall cooperate with the land conservation board, the department of agriculture, trade and consumer protection and the counties in carrying out its soil and water conservation programs. The board shall prepare annually a written program of activities to be carried out in support of the soil and water conservation programs administered by the land conservation board, the department of agriculture, trade and consumer protection and the counties.~~

Vetoed  
in Part

SECTION 674. 36.25 (11) (f) of the statutes is amended to read:

36.25 (11) (f) The laboratory of hygiene board may impose a fee for each test conducted by the laboratory. Tests conducted for local units of government shall be exempt from the fee. Any test conducted for a local unit of government is exempt from the fee unless the test is outside the state public health care mission, as determined by the laboratory of hygiene board. The laboratory may charge other state agencies through contractual arrangements for the actual services rendered.

~~SECTION 674b. 36.25 (21) (d) of the statutes is created to read:  
36.25 (21) (d) Admit special, nondegree students to any course if the course instructor approves their admission.~~

Vetoed  
in Part

~~SECTION 674g. 36.25 (23) of the statutes is created to read:  
36.25 (23) **ROBERT M. LA FOLLETTE INSTITUTE OF PUBLIC AFFAIRS.** The board shall create the Robert M. La Follette institute of public affairs at the university of Wisconsin-Madison to promote the study of government and public policy in this state.~~

Vetoed  
in Part

SECTION 674m. 36.27 (3) (e) of the statutes is repealed.

SECTION 675. 36.275 of the statutes is amended to read:

**36.275 Medical school tuition rates.** Effective July 1, 1982, the board shall establish tuition rates at the university of Wisconsin medical school at 26% of instructional cost for resident students and 38% of instructional cost for nonresident students in association with the forgiveness grant provisions of the Wisconsin health education loan program under s. 39.377.

SECTION 675m. 38.04 (3) of the statutes is amended to read:

38.04 (3) **STAFF.** The board shall appoint such staff as is necessary under the classified service. ~~Three Two division administrator positions in addition to the director shall be filled outside the classified service.~~

SECTION 677e. 38.04 (11) of the statutes is repealed and recreated to read:

38.04 (11) DISTRICT REPORTING AND AUDIT REQUIREMENTS. (a) *Uniform format and reporting systems.* The board shall establish uniform reporting methods for fiscal, enrollment, program and other information which shall be provided by the district boards as the board deems necessary and shall require common use of the fiscal year for operations and data reporting. The board shall establish, by rule, uniform formats and reporting standards for district board contracts under s. 38.14 (3) and for budgets approved by district boards under s. 38.12 (5m). The board shall adopt rules governing the financing of capital expenditures under s. 38.15 and the management of reserve funds.

(b) *Annual audit.* The board shall adopt rules governing the annual district audit under s. 38.12 (5). The rules shall provide for a standard audit contract and shall specify the minimum disclosures to be made by the firm conducting the audit and the persons authorized to have access to and obtain the working papers of the firm conducting the audit. The board may conduct or contract for an audit of any district.

(c) *Withholding of state aid.* The board shall withhold or suspend payment of state aid to any district board which fails to comply with budget, audit, contracting and reporting standards established by the board under this subsection.

SECTION 677m. 38.12 (5) of the statutes is amended to read:

38.12 (5) ANNUAL AUDIT. The district board shall ~~cause a financial annually authorize an~~ audit of the district to be completed and a in accordance with rules established by the board under s. 38.04 (11) (b). ~~The district board shall submit the audit report thereof to be submitted to the state board no later than 9 6 months following the end of each fiscal year.~~

SECTION 677s. 38.12 (5m) of the statutes is created to read:

38.12 (5m) ANNUAL BUDGET. The district board shall prepare its annual budget in compliance with s. 38.29 and with rules established by the board under s. 38.04 (11) (a). The district board shall submit an approved copy of its budget to the board by July 1 of each year and shall report any subsequent budget modification to the board within 30 days of approval of the modification by the district board.

SECTION 678m. 38.14 (3) of the statutes is repealed and recreated to read:

Vetoed in Part 38.14 (3) CONTRACTS FOR SERVICES. (a) The district board may enter into contracts to provide services to public educational institutions and local governmental bodies ~~if the contracts provide for the payment of at least 50% of the instructional function costs of the services.~~

Vetoed in Part (b) The district board may enter into contracts to provide services to private educational institutions, industries and businesses ~~if the contracts provide for the payment of full direct costs of the services. Full direct costs include instructional, instructional resources and student services function costs.~~

(c) No district board may contract with a foreign government or any business which is not operating in this state.

(d) The district board shall establish and file with the board policies governing contracting under this subsection. The district board shall submit to the board copies of all contracts entered into under this subsection within 30 days of their approval by the district board.

SECTION 679. 38.16 (1) of the statutes is amended to read:

Vetoed in Part 38.16 (1) ~~Annually~~ [Annually] ~~Subject to sub. (3), annually~~ by October 31, or within 10 days after receipt of the equalized valuations from the department of revenue, whichever is later, the district board may levy a tax, not exceeding 1.5 mills on the full value of the taxable property of the district, for the purpose of making capital improvements, acquiring equipment and operating and maintaining the schools of the district, except that

the mill limitation is not applicable to taxes levied for the purpose of paying principal and interest on valid bonds or notes now or hereafter outstanding as provided in s. 67.035. The district board secretary shall file with the clerk of each city, village and town, any part of which is located in the district, a certified statement showing the amount of the levy and the proportionate amount of the tax to be spread upon the tax rolls for collection in each city, village and town. Such proportion shall be ascertained on the basis of the ratio of full value of the taxable property of that part of the city, village or town located in the district to the full value of all taxable property in the district, as certified to the district board secretary by the department of revenue. ~~The valuations certified by the department shall include the adjustments for merchants' stock-in-trade, manufacturers' materials and finished products and livestock under s. 70.57 (5).~~ Upon receipt of the certified statement from the district board secretary, the clerk of each city, village and town shall spread the amounts thereof upon the tax rolls for collection. When the taxes are collected, such amounts shall be paid by the treasurer of each city, village and town to the district board treasurer.

~~SECTION 679g. 38.16 (3) of the statutes is created to read:  
38.16 (3) No district board may levy a tax under this section until the board has reviewed the district's allowable budget under s. 38.29 and determined that the budget on which the levy is to be based is within district budget limitations under s. 38.29.~~

Vetoed  
in Part

SECTION 679r. 38.24 (1) (b) of the statutes is amended to read:

38.24 (1) (b) (title) *Post-secondary and vocational-adult programs*. Uniform fees based on not less than ~~9.5%~~ 10.5% of the combined estimated statewide operational cost of ~~postsecondary~~ post-secondary, exclusive of collegiate transfer, and vocational-adult programs. The board shall maintain statewide uniformity in the program fees charged for ~~postsecondary~~ post-secondary and vocational-adult credits. Students 62 years old and over shall be exempted from program fees under this paragraph in vocational-adult programs. Students enrolled in adult high school, adult basic education and English as a 2nd language courses shall be exempted from program fees under this paragraph.

SECTION 681m. 38.28 (2) (g) of the statutes is amended to read:

38.28 (2) (g) The board shall pay ~~40 cents~~ \$1 for each student period of 50 minutes or more of actual instruction in chauffeur training courses approved by the board.

SECTION 682d. 38.29 (1) of the statutes is amended to read:

38.29 (1) For the purposes of this section, "allowable budget" means that portion of a district's nonfederal operational budget, excluding receipts from contracts entered into under s. 38.14 (3) or gifts, grants and bequests under s. 38.14 (4), which does not exceed the budget limitations under subs. (2) and (3).

~~SECTION 682h. 38.29 (1m) of the statutes is created to read:  
38.29 (1m) Annually by September 15, the district board secretary shall submit to the board the approved budget, revised full-time equivalent enrollment projections and data necessary for the calculation of the district's allowable budget under this section. The current school year summer and fall enrollment shall be included in this report to assist the board in determining whether the enrollment projections are reasonable for district budgeting. Annually by October 5, the board shall review each district's allowable budget limit, determine whether the district budget is within the requirements under s. 38.29 and notify the district board of its findings.~~

Vetoed  
in Part

SECTION 682p. 38.29 (3) (e) of the statutes is created to read:

38.29 (3) (e) The nonreimbursed costs of services provided to a public high school under s. 38.14 (3) (a).

SECTION 682t. 38.29 (4) of the statutes is amended to read:

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38.29 (4) Prior to a determination by the board on an appeal under sub. (3), the board shall hold a public hearing ~~within the district which has submitted an appeal~~. The district board shall notify electors of the district of the subject, time and location of the scheduled budget limitation hearing by class 1 notice under ch. 985. The decision of the board under sub. (3) shall be final.

SECTION 690m. 39.11 (17m) of the statutes is created to read:

39.11 (17m) Maintain annual records of its expenditures for programming purposes by type of programming and by source of revenue. By December 1, 1981, and annually thereafter, the educational communications board shall report to the governor and the legislature all of the board's sources of revenue by source and amount.

SECTION 691. 39.155 (2) of the statutes is amended to read:

39.155 (2) Effective July 1, 1982, the per capita support levels under s. 20.250 (1) (a) shall be reduced by the amount of the annual reduction in state funding support per Wisconsin resident student enrolled at the university of Wisconsin medical school resulting from the establishment by the board of regents of the university of Wisconsin system, under s. 36.275, of a tuition rate of 26% of instructional cost per Wisconsin resident student as of July 1, 1982, in association with the ~~loan forgiveness~~ grant provisions of the Wisconsin health education loan program under s. 39.377.

SECTION 691k. 39.28 (4) of the statutes is amended to read:

39.28 (4) The board may assign, sell, convey or repurchase student loans made under s. 39.32 subject to prior approval by the joint committee on finance. ~~Requests for the approval shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).~~

SECTION 691m. 39.30 (3) (d) of the statutes is amended to read:

39.30 (3) (d) Subtract the amount determined in par. (c) from the amount determined in par. (a) to arrive at the amount of the grant. The amount of the maximum grant shall not exceed ~~\$900~~ \$1,000 per semester, or a prorated amount in the case of a quarter or trimester institution, or ~~\$1,800~~ \$2,000 per academic year.

SECTION 692. 39.30 (5) of the statutes is repealed.

SECTION 693. 39.32 (3) (g) of the statutes is created to read:

39.32 (3) (g) The student is not in default on any previous loan or the board has determined that the student has made satisfactory arrangements to repay the defaulted loan.

SECTION 693m. 39.325 (2) of the statutes is amended to read:

39.325 (2) The board shall lend to students who qualify under sub. (1) any moneys appropriated or authorized through the issuance of revenue obligations. The board shall ~~allow~~ require a student borrowing moneys under this section to ~~defer pay interest payments until completion~~ while in medical or dental school and during his or her residency training at the rate of at least 3% per year on the sum of the principal amount of the student's ~~residency training obligation and the accumulated interest, unless federal law provides otherwise as a condition of guaranteeing the loan.~~ Principal and interest payable on maturing revenue obligations shall, when necessary, be paid from funded reserves, authorized under subch. II of ch. 18, ~~in amounts sufficient to permit the deferring of interest payments~~ or from moneys made available under chapter ... (this act), laws of 1981, section 2022 (1).

SECTION 694. 39.37 (4) of the statutes is amended to read:

39.37 (4) Revenue obligations issued under this section shall not exceed ~~\$215,000,000~~ \$240,000,000 in principal amount, excluding obligations issued to refund outstanding revenue-obligation notes.

SECTION 695. 39.374 (4) of the statutes is amended to read:

39.374 (4) Revenue obligations issued under this section shall not exceed ~~\$7,000,000~~ \$12,000,000 in principal amount, excluding obligations issued to refund outstanding revenue-obligation notes.

SECTION 696. 39.377 of the statutes is amended to read:

**39.377 (title) Wisconsin health education loan program grants.** (1) There is established, to be administered by the board, a forgiveness grant component of the Wisconsin health education loan program under s. 39.325, for students enrolled in the university of Wisconsin medical school or in the medical college of Wisconsin.

(2) Up A grant of up to \$5,000 in loan principal and accrued interest commitment incurred by a medical student under may be awarded annually for 4 years to a physician who participated in the loan program in under s. 39.325 may be forgiven annually for 4 years, subject to the requirements in pars. (a), (b) and (c):

(a) Twelve A grant equal to twelve and one-half percent of principal and accrued interest commitment, not to exceed \$2,500, may be forgiven awarded annually for 4 years if the physician establishes a primary care medical practice in this state.

(b) Twelve A grant equal to twelve and one-half percent of principal and accrued interest commitment, not to exceed \$2,500, may be forgiven awarded annually for 4 years if the physician practices any specialty in a geographical area of this state designated by the department of health and social services as underserved.

(c) The amount forgiven for total grant awarded to any individual may not exceed the total amount borrowed by that individual.

(3) A definition of primary care medical specialties and a methodology to designate underserved areas of this state shall be developed by the department of health and social services in consultation with the medical education review committee, the health policy council, the university of Wisconsin office of rural health and local health systems agencies. The department of health and social services shall promulgate rules for the implementation and operation of the program under this section and shall report to the assembly health and social services committee, the senate human resources committee, the joint committee for review of administrative rules and the joint committee on finance regarding the definitions of primary care specialists, designated underserved areas of this state and proposals for the periodic review of the rules and guidelines for the continued operation of the loan forgiveness grant program under this section.

SECTION 697. 39.38 (2) of the statutes is amended to read:

39.38 (2) Grants under this section shall be based on financial need, as determined by the board. The maximum grant shall not exceed \$1,800 per year. Grants shall be awarded to students for full-time or part-time attendance at any accredited institution of higher education in this state. Grants shall be renewable for up to 5 years, if a recipient remains in good academic standing at the institution he or she is attending. The American Indian language and culture education board shall advise the board on the allocation of grants to students enrolled less than half-time.

SECTION 697m. 39.42 of the statutes is amended to read:

**39.42 Interstate agreements.** The board, with the approval of the joint committee on finance acting under s. 13.101, or the governing boards of any publicly supported institution of post-high school education, with the approval of the board and the joint committee on finance acting under s. 13.101, may enter into agreements or understandings which include remission of nonresident tuition for designated categories of students at state institutions of higher education with appropriate state agencies and institutions of higher education in other states to facilitate use of public higher education institutions of this state and other states. Such agreements and understandings shall have as their purpose



the mutual improvement of educational advantages for residents of this state and such other states or institutions of other states with which agreements are made.

SECTION 697mm. 40.11 (2) (fm) of the statutes is created to read:

40.11 (2) (fm) For the purpose of providing group health insurance coverage in this subchapter "employe" includes any limited term employe under s. 41.02 (6) (b) 2.

**Vetoed  
in Part** SECTION 700m. ~~40.41 (11) of the statutes is created to read:  
40.41 (11) Payments made by the state on account of employe sickness or accident disability under s. 230.35 (2) or any collective bargaining agreement under subch. V of ch. 111 may not be included as "wages" for the purpose of determining the amount of social security taxes paid on the wages of a state employe. The university of Wisconsin system, for employes of the system, and the department of administration, for other state employes, shall collect and maintain information for all state employes relative to the use of payments made by the state on account of sickness or accident disability.~~

SECTION 706m. 41.02 (6) (a) of the statutes is amended to read:

41.02 (6) (a) Receives earnings as payment for personal services rendered to or for the benefit of any participating employer; and

SECTION 706n. 41.02 (6) (b) of the statutes is renumbered 41.02 (6) (b) 1 and amended to read:

41.02 (6) (b) 1. Is employed by such employer in a position normally requiring actual performance of duty during not less than 600 hours a year; or

SECTION 706p. 41.02 (6) (b) 2 of the statutes is created to read:

41.02 (6) (b) 2. Has completed at least 600 hours of limited term employment performing the same general duties for the same state agency in each of at least 3 consecutive calendar years, and is commencing his or her 4th or more consecutive calendar year of such employment. Such a person continues to be an employe during each consecutive calendar year in which he or she completes at least 600 hours of limited term employment performing the same general duties for that state agency. Such a person ceases to be an employe at the end of a calendar year during which he or she does not complete at least 600 hours of limited term employment performing the same general duties for that state agency.

SECTION 710. 42.48 of the statutes is amended to read:

**42.48 Application for benefits.** A member may apply at any time to the board, on a form furnished by it, for a benefit. The board shall determine the benefit to be paid to the member, which shall be certified by the board to the department of administration. The department of administration shall thereupon issue its warrants upon which the state treasurer shall make payments accordingly. If the benefit applied for is other than a single payment the board shall transfer the amount of the member's individual accumulation covered by the application as so certified, from the retirement deposit fund to the annuity reserve fund, and shall transfer from the state accumulation fund to the annuity reserve fund the additional amount required to provide the benefit if payable to or on account of a member of the formula group, and the benefit shall thereafter be paid from the annuity reserve fund. The state treasurer shall make payment by check or otherwise provide for the transfer of funds to the order of the member or beneficiary and the. The personal indorsement endorsement of the payee or the withdrawal of any funds credited to the recipient's account through the use of any other money transfer technique shall be sufficient receipt and shall constitute a statement that the payee is entitled to the payment of such benefit in full compliance with the requirements of the law.

SECTION 711. 43.11 (2) (c) of the statutes is repealed.

SECTION 713. 43.23 of the statutes is repealed.

SECTION 715. 43.24 (2) (d) 2 and (e) 3 of the statutes are renumbered 43.24 (2) (e) 3 and (d) 2, respectively.

SECTION 716. 43.24 (2) (e) 4 of the statutes is created to read:

43.24 (2) (e) 4. Professional consultant services to system libraries.

SECTION 717. 43.24 (2) (f) and (g) of the statutes are amended to read:

43.24 (2) (f) A public library system shall by the end of the ~~2nd~~ 3rd year of its operation develop ~~formal~~ agreements with other types of libraries in the system area, providing for appropriate sharing of library resources to benefit the clientele of all libraries.

(g) Each system shall engage in continuous planning with the division ~~on developing and maintaining the administrative code rules for personnel and services and on and with libraries in the system area in regard to~~ developing the library materials collection to meet the service needs. ~~Such planning shall also include methods of,~~ providing service to isolated, disadvantaged and handicapped residents, and ~~of~~ furthering cooperative activities among all types of libraries in the system area.

SECTION 719. 43.64 (2) of the statutes is amended to read:

43.64 (2) Any city, town, village or school district in a county levying a tax for a county library under sub. (1) shall, upon written application to the county board of the county, be exempted from the tax levy, if the city, town, village or school district making the application expends for a library fund during the year for which the tax levy is made a sum at least equal to the sum which it would have to pay toward the county tax levy. For the purposes of this subsection, "library fund" means the funds raised by the city, town, village or school district by tax levy or appropriation under s. 43.52 (1) or the funds expended by the city, town, village or school district under an agreement with another municipality under s. 43.60 (2).

SECTION 719g. 44.02 (12) (c) of the statutes is amended to read:

44.02 (12) (c) Costs incurred under pars. (a) and (b) shall be charged to the appropriation under s. 20.245 (1) (fb) up to a limit of \$10,000 per portrait. Costs in excess of \$10,000 per portrait may be charged to the appropriation under s. 20.245 (1) (fb) only with the prior approval of the joint committee on finance ~~acting under s. 13.101.~~

SECTION 719m. 44.12 of the statutes is repealed.

SECTION 727e. 44.51 (1m) of the statutes is created to read:

44.51 (1m) "Operational grant" means a grant awarded by the board to support those administrative costs of an organization which are not directly related to the development of an artistic performance or product.

SECTION 727m. 44.53 (2) (c) of the statutes is created to read:

44.53 (2) (c) Award an operational grant to an organization if the sum of all operational grants awarded in the current year does not exceed 15% of the sum of all grants awarded to organizations under the board's general grants program and community arts program in the current year.

SECTION 727s. 44.56 of the statutes is created to read:

**44.56 Public service requirement.** (1) The board shall by rule define "public service" for the purpose of this section.

(2) Every recipient of a grant awarded by the board under the board's general grants program or community arts program from the appropriation under s. 20.215 (1) (b) shall perform a public service which shall be mutually agreed upon by the board and the grant recipient at the time the grant is awarded.

SECTION 728. 44.57 (1) (c) of the statutes is created to read:

44.57 (1) (c) Game farms, fish hatcheries, nurseries and other production facilities operated by the department of natural resources.

SECTION 729. 45.35 (12) (c) of the statutes is created to read:

45.35 (12) (c) Commencing January 1, 1976, the department of veterans affairs shall make quarterly reimbursement payments from the veterans trust fund to the general fund in the amount of \$1,880,000 or in the amount permitted by the balance in the veterans trust fund for the repayment of loans to the veterans trust fund under s. 20.485 (2) (d). If any repayments are required on or after July 1, 1978, they shall be made in the amounts permitted by the balance in the veterans trust fund.

SECTION 730g. 45.354 of the statutes is created to read:

**45.354 Grants to veterans organizations; contracts.** (1) The department shall make a grant not to exceed \$1,000 annually from the appropriation under s. 20.485 (2) (vn) to help defray the expenses of the annual encampment of the United Spanish war veterans.

(2) The department may make grants or payments as authorized by the legislature to veterans organizations for services provided to veterans under a contract or agreement with the department.

SECTION 730r. 45.355 of the statutes is amended to read:

**45.355 Biennial study of fiscal needs for veterans' housing.** Biennially the joint ~~finance~~ committee ~~of the legislature on finance~~ shall study and review the fiscal requirements for veterans' housing loans and the condition of the veterans trust fund and thereupon shall make report thereon to the legislature with a view to recommending proper appropriations to adequately provide for such loans. All appropriations made by the legislature for veterans' housing loans pursuant to recommendations so made by the joint ~~finance~~ committee on finance shall be from the veterans trust fund or the general fund or both, as the needs may require.

SECTION 731. 45.365 (1) of the statutes is renumbered 45.365 (1) (a) and amended to read:

45.365 (1) (a) The department of veterans affairs, hereafter in this section and in s. 45.37 referred to as the department, shall operate and conduct the Wisconsin veterans home at King, hereafter in this section and in s. 45.37 referred to as the home, and employ a commandant and ~~such~~ the officers, nurses, attendants and other personnel ~~as may be~~ necessary for the proper conduct of the home. In compliance with the compensation plan established pursuant to s. 230.12 (3), it may recommend to the director of personnel charges for meals, living quarters, laundry and other services furnished to employes and members of the employes' family maintained as such. ~~All moneys received from every person for or on account of such services shall be paid within one week after receipt into the general fund and shall be credited to the appropriation provided for this purpose by ch. 20.~~ Complete personal maintenance and medical care to include programs and facilities which promote comfort, recreation, well-being or rehabilitation, shall be furnished all members under the policy of the department.

SECTION 732m. 45.365 (1) (b) and (c) of the statutes are created to read:

45.365 (1) (b) All money received in reimbursement for services to institutional employes under par. (a) or in payment for meals served to guests at the institution shall be accumulated in an account named "employe maintenance credits" and shall be paid into the general fund within one week after receipt and credited to the appropriation under s. 20.485 (1) (gk).

(c) From the appropriation under s. 20.485 (1) (gk) the department may maintain a contingent fund of not more than \$2,000 for the payment of petty cash items, to be expended and accounted for insofar as applicable under s. 20.920.

SECTION 733m. 45.37 (15) (c) of the statutes is amended to read:

45.37 (15) (c) Expenses incident to the burial at the home of a member shall be paid from the estate of the decedent, except that if there is no estate or the estate is insufficient, the expense of burial, or necessary part thereof, shall be paid from the appropriation ~~made by under~~ s. 20.485 (1) ~~(a)~~ (gk) and the amount expended therefor shall not exceed the ~~amount therein specified~~ \$400.

\* SECTION 733s. 45.396 of the statutes is amended to read:

**45.396 Correspondence courses and part-time classroom study.** Any veteran upon the completion of any correspondence courses or part-time classroom study from the university of Wisconsin system, from any other institution of higher education located in this state which is accredited by the north central association of colleges and secondary schools or from any vocational, technical and adult educational school receiving aids from the board of vocational, technical and adult education or from any public or private high school, taken upon authorization of the department of veterans affairs, may be reimbursed in whole or in part for the cost of such courses, including necessary textbooks, by the department upon presentation to the department of a certificate from the school indicating that the veteran has completed the courses and stating the cost of such courses and necessary textbooks. Benefits granted under this section shall be paid out of the appropriation under s. 20.485 (2) (vm). Enrolled part-time classroom study or direct correspondence courses from a qualified educational institution may be authorized and the veteran reimbursed in whole or in part by the department when such courses are related to one's occupational, professional or educational objectives, and to the extent that payment or reimbursement is not available from any other sources, or, in cases where reimbursement is not specifically for fees and textbooks, to the extent that such reimbursement is insufficient to cover all educational costs. Such reimbursement may not exceed the cost of tuition, fees and textbooks. Part-time study during a regular college semester, trimester or quarter shall be defined as enrollment by a graduate student in courses for which no more than ~~7~~ 8 semester or the equivalent trimester or quarter credits will be given upon satisfactory completion, or enrollment by an undergraduate student in courses for which no more than 11 semester or the equivalent trimester or quarter credits will be given upon satisfactory completion. Part-time study during a summer semester or session shall be defined as study considered to be part-time by the educational institution being attended. Any veteran or eligible dependent who has obtained a master's degree or its equivalent shall not be eligible for grants under this section. Any veteran or eligible dependent who has obtained at least a baccalaureate degree or its equivalent but not a master's degree or its equivalent shall not be eligible for grants offered under this section if he or she has remaining federal veterans administration education benefits. However, any veteran or eligible dependent who has obtained at least a baccalaureate degree or its equivalent and who has remaining federal veterans administration education benefits or who has obtained a master's degree or its equivalent may be reimbursed in whole or in part for the cost of courses in which such person was enrolled before July 31, 1975, where applications for the reimbursement of the cost of such courses were received by the department before July 31, 1975, and, in the case of enrolled part-time classroom study courses, where such courses were satisfactorily completed on or before August 31, 1975. For the purpose of this section any student who has received a baccalaureate degree shall be deemed to be a graduate student whether he or she is taking graduate or undergraduate courses.

SECTION 735m. 46.03 (7m) of the statutes is created to read:

46.03 (7m) FOSTER CARE. For the federal fiscal year commencing October 1, 1983, ensure that there are no more than 4,356 children in foster care placements for more than 24 months, consistent with the best interests of each child. Services provided in connection with this requirement shall comply with the requirements under P.L. 96-272.

SECTION 736. 46.03 (18) (f) of the statutes is amended to read:

\* This SECTION listed as disapproved in governor's veto message but text not vetoed. See 70 O.A.G. 189 (1981).

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46.03 (18) (f) Notwithstanding par. (a), any person who submits to an assessment or rehabilitation plan under s. 343.30 (1q) (a) or 343.305 (9) (a) shall pay a reasonable fee therefor to the appropriate county department of public welfare, board under s. 51.42 or traffic safety school under s. 345.60. The fee for the rehabilitation may be reduced or waived if the person is unable to pay the complete fee, ~~except that~~ but no fee for assessment or attendance at a traffic safety school under s. 345.60 may be reduced or waived.

SECTION 736a. 46.03 (18) (f) of the statutes, as affected by chapter .... (this act), laws of 1981, is amended to read:

46.03 (18) (f) Notwithstanding par. (a), any person who submits to an assessment or ~~rehabilitation driver safety~~ plan under s. ~~343.16 (2) (a)~~, 343.30 (1q) ~~(a)~~ or 343.305 (9) ~~(a)~~ shall pay a reasonable fee therefor to the appropriate county department of public welfare, board under s. 51.42 or traffic safety school under s. 345.60. The fee for the ~~rehabilitation driver safety plan~~ may be reduced or waived if the person is unable to pay the complete fee, but no fee for assessment or attendance at a traffic safety school under s. 345.60 may be reduced or waived.

SECTION 737. 46.03 (20) (title) of the statutes is amended to read:

46.03 (20) (title) PAYMENT OF BENEFITS.

SECTION 738. 46.03 (27) of the statutes is repealed.

SECTION 741. 46.031 (1) (a) of the statutes is amended to read:

**Vetoed in Part** 46.031 (1) (a) *Submission.* County public welfare or social services departments organized under ss. 46.22 and 49.51, mental hygiene boards organized under s. 51.42, developmental disability boards organized under s. 51.437 and community human service boards organized under s. 46.23 shall annually submit a coordinated comprehensive program plan and budget for services directly provided or purchased. The coordinated plans and budgets shall be prepared in accordance with sub. (2) and be submitted to the ~~department~~ [department] county executive or county administrator or in those counties without an executive or administrator, directly to the county board of supervisors by September 30 of each calendar year ~~and to the department by November 30.~~ The department may require submission of multiyear coordinated plans and budgets, not to exceed 3 years, with annual updates to be submitted by November 30.

SECTION 742. 46.031 (2) (c) 1 of the statutes is amended to read:

**Vetoed in Part** 46.031 (2) (c) 1. A coordinated plan and budget shall be submitted ~~by September 30~~ for inclusion as part of the proposed county budget to the county executive or county administrator or in those counties without an executive or administrator, directly to the county board of supervisors or its designated agent for review and preliminary approval for submission to the department. If the county board of supervisors or its designated agent does not approve a coordinated plan and budget for submission to the department, the board or its designated agent may either amend or reject the coordinated plan and budget. If the board rejects the coordinated plan and budget, it shall state specific reasons for its rejection and need not preliminarily approve the coordinated plan and budget for submission to the department until objections are satisfied. If a combination of counties is administering a program, the coordinated plan and budget may not be submitted until each county board of supervisors approves it. The county board of supervisors or its designated agent or combination of county boards or their designated agents shall submit the coordinated plan and budget to the department by ~~September~~ [September] ~~November~~ ber 30 of each calendar year for its review and approval. ~~After the department's review and approval of the coordinated plan and budget, the department shall return the coordinated plan and budget to the county board of supervisors or combination of county boards for its final review and approval, in accordance with the time schedule the department may establish under sub. (1) (a). The department may grant an extension of the submission deadline.~~ The department shall approve or reject the coordinated plan and budget

within 6 weeks after receiving it. If the department rejects the coordinated plan and budget, it shall state specific reasons for its rejection. If the department fails to act within 6 weeks, the failure to act constitutes approval of the coordinated plan and budget.

SECTION 743. 46.031 (2) (c) 2 of the statutes is amended to read:

46.031 (2) (c) 2. The department shall ~~also~~ annually submit to the county board of supervisors or combination of county boards a proposed written contract incorporating the coordinated plan and budget as approved by the department and such other administrative requirements as necessary. The proposed contract shall contain the approved budget and the allocation of funds as determined by the approved coordinated plans and budgets. The contract as approved may contain conditions of participation consistent with federal and state law but may not include the cost for administering income maintenance programs. Any changes to the proposed contract shall be mutually agreed upon. The county board of supervisors or combination of county boards shall approve the coordinated plan and budget and the contract before January 1 of the year in which it takes effect unless the department grants an extension. The county board of supervisors or combination of county boards may designate an agent to approve addenda to any contract after the contract has been approved.

SECTION 744. 46.031 (2) (c) 5. d of the statutes is amended to read:

46.031 (2) (c) 5. d. Is for inpatient treatment in excess of an average of ~~28~~ 21 days, as defined in s. 51.42 (8) (L), excluding care for patients at the centers for the developmentally disabled;

SECTION 744g. 46.031 (2) (c) 6 of the statutes is amended to read:

46.031 (2) (c) 6. If the department withholds a portion of the allocable appropriation pursuant to subd. 5, the board affected by the action of the department may submit ~~for departmental approval to the county board or boards of supervisors or to a designated agent~~ an amendment to its coordinated plans and budget to rectify the deficiency found by the department. The county board of supervisors or its designated agent or combination of county boards of supervisors or their designated agents may approve or amend the amendment and may submit for departmental approval the amendment as adopted. If a combination of counties is administering a program, the amendment may not be submitted unless each county board of supervisors, or its designated agent, adopts it.

SECTION 744r. 46.031 (2) (c) 7 of the statutes is amended to read:

46.031 (2) (c) 7. Prior to approval of a coordinated plan and budget, the department may direct that a board organized under s. 51.42 include in its coordinated plan and budget provision for crisis intervention services. If the department finds that the board's plan for these services as reflected in the coordinated plan and budget is not adequate, the board shall prepare in consultation with the department and submit a supplemental plan and budget for these services ~~in consultation with the department~~ directly to the county board or boards of supervisors. The county board or boards of supervisors may approve or amend the supplemental plan and budget and may submit for departmental approval the supplemental plan and budget as adopted. If a combination of counties is administering a program, the supplemental plan and budget may not be submitted unless each county board of supervisors adopts it. The county board or boards of supervisors may delegate this responsibility to the community mental health board established under s. 51.42. If the department disapproves the supplemental plan and budget, the department may withhold approval of the entire coordinated plan and budget or may withhold a portion of the funds.

SECTION 745. 46.031 (3) (title), (a) and (b) (title) of the statutes are amended to read:

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46.031 (3) (title) OPEN PUBLIC PARTICIPATION PROCESS. (a) (title) *Citizen advisory committee*. Except as provided in par. (b), the county board of supervisors of each county or the boards of 2 or more counties jointly shall establish a citizen advisory committee to the public welfare or social services departments and boards listed in sub. (1) (a). The citizen advisory committee shall advise in the formulation of the coordinated plan and budget under sub. (2) (a). Membership on the committee shall be determined by the county board or boards of supervisors establishing it and shall include representatives of those persons receiving services, providers of service and citizens. A majority of the members of the committee shall be citizen and service consumers. The committee's membership may not consist of more than 25% county supervisors, nor of more than 20% service providers. ~~For boards created under s. 46.23, the committee created by s. 46.23 (8) shall serve the function of a committee established under this subsection.~~ The chairperson of the committee shall be appointed by the county board establishing it. In the case of a multicounty committee, the chairperson shall be nominated by the committee and approved by the county boards establishing it. The county board of supervisors or the boards of 2 or more counties acting jointly may designate an agent to determine the membership of the committee and to appoint the committee chairperson or approve the nominee.

(b) (title) *Alternate process*.

SECTION 746. 46.032 of the statutes is amended to read:

**46.032 Income maintenance administration.** County public welfare departments organized under ss. 46.22 and 49.51 shall annually enter into a separate contract with the department detailing the reasonable cost of administering the income maintenance programs under ss. 46.23, 49.046, 49.19 and 49.45 to 49.47 when so appointed by the department. ~~The contract may contain such conditions of participation as are consistent with federal and state law~~ Contracts created under this section control the distribution of payments under s. 20.435 (4) (de) 1. The department may reduce its payment to any county under s. 20.435 (4) (de) 1 if federal reimbursement is withheld due to audits, quality control samples or program reviews. The amount of reduction to any county is limited to the amount of federal reimbursement withheld as a result of the county's error rate.

Vetoed  
in Part

SECTION 747. 46.033 (3) of the statutes is amended to read:

46.033 (3) With the agreement of the affected county board or boards of supervisors, effective for the contract period beginning January 1, 1980, the department may approve counties or a combination of counties to administer a single consolidated aid consisting of the state and federal financial aid available to that county or counties from appropriations under s. 20.435 (2) (b), ~~(bb)~~ and (o) for services provided and purchased by county social service departments, mental hygiene boards, developmental disabilities boards and human service boards. Under such an agreement, in the interest of improved service coordination and effectiveness the county board or boards of supervisors may reallocate among the several program departments and boards enumerated in s. 46.031 (1) (a) funds that otherwise would be specified for use by a single board or department. The ~~annual~~ program plan and budget required of each county or group of counties under s. 46.031 (1) (a) shall be the vehicle for expressing the county board or boards of supervisors' proposed use of the single consolidated fund. Approval by the department of this use of the fund shall be in accordance with s. 46.031 (2). Counties that were selected by the department to pilot test consolidated aids for contract periods beginning January 1, 1978, may continue or terminate consolidation with the agreement of the affected county board or boards of supervisors.

SECTION 748. 46.034 (4) of the statutes is amended to read:

46.034 (4) FUNDING. State social services funding under s. 20.435 (2) ~~(bb)~~ (b) shall not be available to counties combining under this section until the counties have drafted a contractual agreement, approved by the secretary, setting forth the plans for direct sponsorship and have drafted a program plan and budget in accordance with s. 46.22 (4) (j).

SECTION 749. 46.036 (1) of the statutes is amended to read:

46.036 (1) All care and services purchased by the department, a county social service department, a county department of public welfare, or a board established under s. 46.23, 51.42 or 51.437 shall be authorized and contracted for pursuant to the standards established under this section. For purchases of \$10,000 or less the requirement for a written contract may be waived by the department. No contract is required for care provided by foster homes required to be licensed under s. 48.62. When the department directly contracts for services, it shall follow the procedures in this section in addition to meeting purchasing requirements established in s. 16.75.

SECTION 750. 46.036 (3) (f) of the statutes is amended to read:

46.036 (3) (f) Advance payments of up to one-twelfth of an annual contract may be allowed under the contract ~~on the condition that the provider supplies.~~ If the advance payment exceeds \$10,000, the provider shall supply a surety bond for an amount equal to the amount of the advance payment applied for. No surety bond is required if the provider is a state agency. The cost of the surety bond shall be allowable as an expense.

SECTION 751. 46.036 (4) (c) of the statutes is amended to read:

46.036 (4) (c) Unless waived by the department, provide the purchaser with a certified annual financial and compliance audit report. ~~The report shall show for the contract period expenses and revenues by major line item and distributed among the services provided~~ audit shall follow standards that the department prescribes.

SECTION 752. 46.037 of the statutes is repealed and recreated to read:

**46.037 Rates for residential child care centers.** (1) Each residential child care center shall establish a per client rate for its services and shall charge all purchasers the same rate.

(2) A residential child care center shall notify the department of the rate it charges and of any change in that rate before a charge is made to any purchaser.

(3) The department may require an audit of any residential child care center for the purpose of collecting federal funds.

SECTION 752a. 46.043 of the statutes is created to read:

**46.043 Correctional and related institutions; environmental impact.** (1) The department shall perform an environmental assessment to determine if an environmental impact statement is required relating to the construction, expansion or establishment of a correctional institution or resource center under s. 46.056.

(2) If the department prepares an environmental impact statement, it shall hold a hearing, after proper public notice, within 90 days of completion of the statement. For contested case hearings, the department shall apply s. 227.09 (1). For noncontested case hearings, the department may apply s. 227.09 (1) (a), (c), (e), (g) and (i). At a hearing, the hearing examiner shall observe ~~the rules of evidence, including, where necessary and appropriate, the limiting of repetitive testimony and consolidation of testimony.~~ the hearing examiner shall observe the rules of evidence, including, where necessary and appropriate, the limiting of repetitive testimony and consolidation of testimony. The hearing examiner may require parties to a hearing to specify, in advance and in writing, the issues they wish to have considered at the hearing.

(3) Any person aggrieved by the department's decision relating to the construction, expansion or establishment of a correctional institution or resource center under s. 46.056 because of the department's failure to comply with s. 1.11 may seek judicial review only under s. 227.16.

Vetoed  
in Part



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(4) Any court petitioned to issue an injunction or restraining order relating to the construction, expansion or establishment of a correctional institution or resource center under s. 46.056 because of the department's failure to comply with s. 1.11 shall issue a decision on the petition within 30 days after it is filed.

Vetoed  
in Part

(5) This section does ~~not~~ apply to the construction or establishment of the medium/maximum security institution under s. 46.05 (1).

SECTION 752c. 46.05 (1m), (1n) and (1p) of the statutes are created to read:

Vetoed  
in Part

46.05 (1m) The medium security institution under sub. (1) shall be the Oshkosh correctional institution and shall be located north of Oshkosh at the intersection of STH 41 and STH 43, north of CTH "J" and south of Sunnyview road at the site which, on the effective date of this subsection (1981), is the site of the Winnebago correctional farm.

Vetoed  
in Part

(1n) In addition to the institutions under sub. (1), the department shall establish a medium security institution which is located at 819 North 6th street at the site which, on the effective date of this subsection (1981), constitutes the top 3 floors of the state office building.

(1p) Inmates from the Wisconsin state prisons may be transferred to the institutions under this section and they shall be subject to all laws pertaining to inmates of other penal institutions of this state. Officers and employes of the institutions shall be subject to the same laws as pertain to other penal institutions. Inmates shall not be received on direct commitment from the courts.

Vetoed  
in Part

~~SECTION 752g. 46.05 (4) of the statutes is created to read:  
46.05 (4) The department may not authorize the remodeling, reconstruction, conversion of, or addition to, any part of a mental health institute as defined under s. 51.01 (12) for use as a medium, medium/maximum or maximum security correctional institution under this section.~~

SECTION 752m. 46.051 of the statutes is created to read:

**46.051 Contracts with Minnesota.** (1) The department may enter into one or more contracts with the state of Minnesota for the transfer and confinement in Minnesota of prisoners who have been committed to the custody of the department. Any such contract shall provide for all of the following:

- (a) A termination date, which shall be no later than June 30, 1983.
- (b) Provisions concerning the costs of prisoner maintenance, extraordinary medical and dental expenses and any participation in or receipt by inmates of rehabilitative or correctional services, facilities, programs or treatment, including those costs not reasonably included as part of normal maintenance.
- (c) Provisions concerning any participation in programs of inmate employment if any, the disposition or crediting of any payments received by inmates on account of employment, and the crediting of proceeds from or disposal of any products resulting from employment.
- (d) Delivery and retaking of inmates.
- (e) Waiver of extradition by Minnesota and Wisconsin.
- (f) Retention of jurisdiction of the prisoners transferred by Wisconsin.
- (g) Regular reporting procedures by Minnesota officials on Wisconsin prisoners.
- (h) Provisions concerning procedures for probation, parole and discharge.
- (i) The same standards of reasonable and humane care as the prisoners would receive in an appropriate Wisconsin institution.
- (j) Any other matters as are necessary and appropriate to fix the obligations, responsibilities and rights of Minnesota and Wisconsin.

(2) Inmates from Wisconsin state prisons while in Minnesota institutions are subject to all provisions of law and regulation concerning the confinement of persons committed for violations of the laws of Minnesota, except as otherwise provided for by any contract entered into under sub. (1).

(3) Any hearing to consider parole to which an inmate confined under this contract may be entitled by the laws of Wisconsin will be conducted by the Wisconsin parole board under rules of the department.

(4) Sections 16.75 and 46.036 do not apply to contracts entered into under sub. (1).

(5) The provisions of this section are severable, as provided in s. 990.001 (11). The provisions of any contract entered into under sub. (1) are severable. If any provision of such a contract is invalid, or if the application of a provision of the contract to any person or circumstance is invalid, the invalidity does not affect other provisions or applications which can be given effect without the invalid provision or application.

(6) This section constitutes legislative approval for purposes of s. 53.26.

SECTION 752r. 46.052 of the statutes is created to read:

**46.052 Correctional and other institutions; expansion and establishment of facilities.**

(1) On or after the effective date of this act (1981), the department shall:

(a) Provide the facilities necessary for at least 25 additional beds at Camp Flambeau.

(am) Provide the facilities necessary to operate Hughes hall at the Winnebago mental health institute with 160 beds. The facilities may be used for forensic patients and persons transferred under ch. 51 or 53.

(b) Provide the facilities necessary for at least 45 additional beds for the substance abuse treatment program at the Winnebago mental health institute.

(bp) Provide the facilities necessary for not more than 300 beds at the correctional institution under s. 46.05 (1m).

(bq) Provide the facilities necessary for the correctional institution under s. 46.05 (1n). Assessment and evaluation may be performed at the institution.

(d) Provide the facilities necessary for at least 40 additional beds at the Green Bay work release center.

(e) Provide the facilities necessary for at least 20 additional beds at Black river camp.

(f) Provide the facilities necessary for at least 20 additional beds at the Oregon camp.

(g) Provide the facilities necessary for modular housing placed within institutional walls at the Green Bay correctional institution. The modular housing shall be a medium security facility to alleviate overcrowding. Vetoed in Part

(2) In addition to the exemptions under s. 13.48 (13), construction or establishment of facilities necessary to comply with sub. (1) shall not be subject to the ordinances or regulations relating to zoning, including zoning under ch. 91, of the county and municipality in which the construction or establishment takes place if the deviation from the ordinance or regulation is approved by the building commission. Vetoed in Part

(3) For compliance with this section, the department may expend moneys authorized under chapter 29, laws of 1977, section 1606c (1) (b) relating to the correctional system which have not been expended or encumbered or moneys available under residual existing general fund supported borrowing, not to exceed \$1,500,000.

(4) Any purchase, lease or construction of additional correctional facilities or ~~renovating of existing state buildings~~ is subject to prior approval by the building commission and the joint committee on finance. Vetoed in Part

(5) This section constitutes enumeration in the authorized state building program for purposes of s. 20.924.

(6) The building commission is encouraged and authorized to utilize the most economical and expeditious construction alternatives available to effectuate completion of the construction projects.

SECTION 752x. 46.054 of the statutes is repealed and recreated to read:

**46.054 Prison population ceilings.** (1) On and after January 1, 1982, or 30 days after the effective date of this act (1981), whichever is later, the prisoner populations at the following institutions shall not exceed any of the following bed capacities:

- (a) The Waupun correctional institution shall not exceed a 915-bed capacity.
- (b) The Green Bay correctional institution shall not exceed a 723-bed capacity.
- (c) The Fox Lake correctional institution shall not exceed a 585-bed capacity.
- (d) The Kettle Moraine correctional institution shall not exceed a 387-bed capacity.
- (e) The Dodge correctional institution shall not exceed a 359-bed capacity.

(2) (a) In this section, "regular housing bed" means a single occupancy cell bed, dormitory bed or reception bed. "Regular housing bed" does not include a medical service bed or segregation cell bed.

(b) In determining the prisoner population under sub. (1), any prisoner who is physically located at any of the institutions under sub. (1) (a) to (e) and assigned to a regular housing bed shall be included, regardless of whether he or she has been assigned to another institution and is awaiting transfer.

(3) The bed capacities under sub. (1) may be exceeded if an emergency exists. After the emergency ceases to exist, the department shall again comply with this section. The department shall promulgate a rule defining "emergency" for application under this subsection.

SECTION 753m. 46.056 of the statutes is created to read:

**46.056 Wisconsin resource center.** The department shall establish the Wisconsin resource center on the grounds of the Winnebago mental health institute near Oshkosh. The subunit of the department responsible for community services shall have responsibility for inmates transferred under s. 53.055.

SECTION 754. 46.057 of the statutes is created to read:

**46.057 Training of correctional officers.** (1) In this section, "correctional officer" means any person classified as a correctional officer employed by the state whose principal duty is the supervision of inmates at a prison, as defined in s. 53.01.

(2) (a) Correctional officers serving under permanent appointment prior to the effective date of this section (1981) are not required to meet any requirement under par. (b) as a condition of continued employment. Failure of any such correctional officer to fulfill those requirements does not make that person ineligible for any promotional examination for which he or she is otherwise eligible. Those correctional officers may voluntarily participate in this program.

(b) No person may be permanently appointed as a correctional officer unless the person has satisfactorily completed a preservice training program approved by the department.

SECTION 754m. 46.059 of the statutes is created to read:

**46.059 Minimum security corrections institutions.** The department may, with the approval of the joint committee on finance, increase staffing levels at minimum security institutions sufficiently to allow temporary placement of medium security inmates at existing minimum security institutions as may be necessary to relieve medium security over-crowding. The temporary placement under this section may constitute ~~only~~ a partial use in Part of the institution.

SECTION 755. 46.10 (8e) of the statutes is repealed.

SECTION 756. 46.10 (8m) (a) of the statutes is amended to read:

46.10 (8m) (a) Deduct 100% of all money collected on or after January 1, 1975, from the chargeable cost of care at the mental health institutes, and central state hospital and the centers for the developmentally disabled;

SECTION 757. 46.10 (8m) (am) of the statutes is created to read:

46.10 (8m) (am) 1. Deduct 100% of all money collected prior to January 1, 1982, from the chargeable cost of care at the centers for the developmentally disabled under s. 51.437 (12) (c) 1; and

2. Deduct or remit, through the appropriation under s. 20.435 (2) (gk), all money collected for persons ineligible for medical assistance benefits and who lack other means of full payment for care provided on or after January 1, 1982, by centers for the developmentally disabled. The deduction or remittance under this subdivision may not exceed the amount chargeable under s. 51.437 (12) (c) 2. a.

SECTION 758. 46.10 (8m) (d) of the statutes is amended to read:

46.10 (8m) (d) ~~Paragraph (a) does Paragraphs (a) and (am) do not apply to emergency inpatient services provided under s. 46.03 (27) or primary psychiatric care, both of which shall be billed on the basis of total chargeable cost. Collections for such emergency services under s. 46.03 (27) and primary care shall be deducted from the chargeable cost of other types of care provided at the institutes.~~

~~SECTION 758m. 46.21 (2) (j) of the statutes is created to read:  
46.21 (2) (j) The board shall administer admissions to the university of Wisconsin hospital and clinics or to the Milwaukee county hospital and clinics under ch. 142.~~

Vetoed  
in Part

SECTION 759. 46.22 (2) (b) of the statutes is amended to read:

46.22 (2) (b) Appoint a county director of public welfare subject to ~~the provisions of s. 49.50 (2) to (5) and the rules and regulations promulgated thereunder and subject to the approval of the county board of supervisors. The county board or boards of supervisors may delegate this authority to the board established under this section.~~

SECTION 760m. 46.22 (4) (g) (intro.) of the statutes is amended to read:

46.22 (4) (g) (intro.) ~~To~~ Within the limits of available state and federal funds and of county funds appropriated to match state funds, to provide social services for:

SECTION 761. 46.22 (4) (j) of the statutes is amended to read:

46.22 (4) (j) To submit ~~annually~~ a program plan and budget in accordance with s. 46.031 for services authorized in this section, except for the administration of and cost of aid granted under ss. 49.02, 49.03, 49.19 and 49.45 to 49.47. The approved plan and budget shall not exceed the available amount of funds.

~~SECTION 761m. 46.22 (4) (k) of the statutes is amended to read:  
46.22 (4) (k) To administer admissions to the university of Wisconsin hospital and clinics or to the Milwaukee county hospital and clinics under ch. 142.~~

Vetoed  
in Part

SECTION 762. 46.22 (4) (L) of the statutes is created to read:

46.22 (4) (L) To administer the long-term support community options program under s. 46.27, if the county board of supervisors designates the county department of public welfare as the administrative agency.

SECTION 763. 46.22 (4) (m) of the statutes is created to read:

46.22 (4) (m) To collect and transmit information to the department so that a federal energy assistance payment may be made to an eligible household.

SECTION 763m. 46.22 (5m) (c) of the statutes is amended to read:

46.22 (5m) (c) County agencies shall submit to the department plans and contracts for care and services to be purchased. Such contracts shall be developed under s. 46.036. The department shall review such contracts and approve them if they are consistent with s. 46.036 and to the extent that state or federal funds are available for such purposes. The joint committee on finance may require the department to submit such contracts to the committee for review and approval. The department shall not make any payments to a county for programs included in the contract which is under review by the committee. ~~If the committee requires the submittal of the contracts, approval of the contracts shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).~~ The department shall reimburse each county for such approved contracts from the appropriations under s. 20.435 (2) (bb) and (o) or under s. 20.435 (2) (cd), according to s. 49.52, or from the appropriation under s. 20.435 (2) (b).

SECTION 765. 46.23 (2) (b) of the statutes is repealed.

SECTION 765m. 46.23 (2) (c) of the statutes is amended to read:

46.23 (2) (c) "Director" means the director appointed by the board with the approval of the county board or boards of supervisors. The county board or boards of supervisors may delegate this authority to the board established under this section.

SECTION 765s. 46.23 (2) (f) of the statutes is repealed.

SECTION 766. 46.23 (3) (a) of the statutes is amended to read:

46.23 (3) (a) ~~The~~ Upon approval by the secretary of a feasibility study and a program implementation plan, the county board of supervisors of any county, or the boards of supervisors of one or more contiguous counties having a population of 50,000 or more may, by resolution of the county boards of supervisors, establish a board on a county, multicounty or sub-county basis having the composition, powers and duties provided in subs. (4) and (5). ~~The secretary may permit a county or group of counties having a population of less than 50,000 to establish a board.~~

SECTION 767. 46.23 (5) (a) of the statutes is repealed and recreated to read:

46.23 (5) (a) The powers and duties of boards that are integrated into a community human services board transfer to the community human services board, including the powers and duties specified in ss. 46.21, 46.22, 49.51, 51.42 and 51.437. The county board or boards of supervisors creating the community human services board may also transfer to the community human services board the powers and duties of a county unit created under s. 59.025 (3) (a), of a board of health created under s. 140.09 or of a county health commission created under s. 141.01 or may transfer the operation of any other human services programs under county control.

SECTION 768. 46.23 (5) (d) 1 of the statutes is amended to read:

46.23 (5) (d) 1. Shall develop ~~an annual~~ a program plan and budget request for submission to the department for review and approval as specified in par. (e).

SECTION 769. 46.23 (5) (e) of the statutes is amended to read:

46.23 (5) (e) The board shall submit ~~annually~~ a program plan and budget in accordance with s. 46.031 for authorized services in the form and manner prescribed by the department. The approved plan and budget shall not exceed the available amount of federal and state funds.

SECTION 770. 46.23 (6) (a) of the statutes is amended to read:

46.23 (6) (a) All of the administrative and executive powers and duties of managing, operating, maintaining and improving programs shall be vested in the director, subject to ~~such delegation of authority as is consistent with this section and the rules promulgated by the department under this section.~~

SECTION 770m. 46.23 (8) of the statutes is repealed.

SECTION 772. 46.255 of the statutes is created to read:

**46.255 Certification of uncollectible support payments to the department.** (1) If a person obligated to provide support payments for a child is delinquent in making court-ordered payments, and the county designee authorized under s. 59.07 (97) to administer the child support and paternity program is unable to secure payment after making reasonable effort, the county designee for the county in which the order was rendered may certify the delinquent payment as uncollectible to the department.

(2) At least annually, the department of health and social services shall provide the certifications to the department of revenue.

(3) Receipt of a certification by the department of revenue shall constitute a lien equal to the amount certified as uncollectible on any tax refunds or credits owed to the obligor. The lien shall be enforced by the department of revenue as a setoff under s. 71.105. When the department of revenue determines that the obligor is otherwise entitled to a tax refund or credit, it shall notify the obligor that the state intends to reduce any tax refund or credit due the obligor by the amount the obligor is delinquent under the support order and that the department intends to forward that amount to the clerk of the court rendering the order. The notice shall provide that within 30 days the obligor may request a hearing before the circuit court rendering the support order. The sole issues at that hearing shall be whether the obligor owes the amount certified by the county designee and, if not, whether the money withheld from a tax refund or credit shall be paid to the obligor or held for the future support of the child.

(4) The department of revenue shall send that portion of any tax refunds or credits withheld to the department of health and social services for distribution to the appropriate clerk of court. The department of health and social services shall make an annual settlement with the department of revenue and with each county designee who has certified a delinquent child support obligation. The settlement shall state the amounts certified by the county designee, the amounts deducted from tax refunds and credits and returned to the county clerk of court and the administrative costs incurred by the department of revenue. The department of health and social services may charge the county whose designee certified the obligation the related administrative costs incurred.

(5) Certification of an obligation to the department of health and social services does not deprive the county of the right to collect the obligation or to prosecute the obligor. The county designee shall immediately notify the department of any collection of an obligation that has been certified to the department, and the department shall reduce the certified obligation by the amount the county has collected.

(6) If the state implements the child support and paternity program under s. 59.07 (97), the state may act in place of the county designee under this section.

SECTION 773. 46.26 (2) (c) of the statutes is amended to read:

46.26 (2) (c) ~~Beginning January 1, 1980, funds~~ Funds under this section may not be used to reduce the county fiscal effect effort indicated in the 1979 coordinated plan and budget, and funds may not be used to replace amounts or services provided or purchased by the county in calendar year 1979. ~~No~~ All funds under this section shall be used to purchase or provide juvenile delinquency-related services under ch. 48, except that no funds under this section may be used for purposes of land purchase, building construction, or maintenance of buildings under ss. 46.17 and 46.175, for reimbursement of costs under ss. 48.208, and 48.209 and 48.58 (1), for city lockups, or for reimbursement of care costs in temporary shelter care under ss. s. 48.22 (6) and 48.58 (2).

SECTION 774. 46.26 (2m) of the statutes is ~~renumbered 46.26 (2m) (a) and~~ amended to read:

46.26 (2m) (a) The first step in the establishment of a program shall be the preparation of a plan using the time schedule for submitting coordinated plans and budgets under s. 46.031 (1) (a) which includes an inventory of all existing resources and services for the target population, the amounts allocated in calendar 1979 for each resource and service,

Vetoed  
in Part

Vetoed  
in Part

and which details the resources to be developed and amounts to be allocated for meeting the needs of the designated target population served by the county or counties making the plan. The plan shall be developed by representatives of county public welfare departments in conjunction with representatives of a county level youth planning organization and, by representatives of the judiciary and law enforcement agencies and by representatives of American Indian tribes, as required by the department. In counties without a county level youth planning organization, the plan shall be developed by representatives of the county public welfare department in conjunction with representatives of the judiciary and law enforcement agencies the county public welfare department shall choose one or more county residents to consult with.

Vetoed  
in Part

~~SECTION 774m. 46.26 (2m) (b) of the statutes is created to read:  
46.26 (2m) (b) Counties with a population of 500,000 or more that intend to expend funds under sub. (3) (4m) shall submit a plan under par. (a) for 1982 which shall include a plan to restructure the program provided by the children's home established under s. 48.58 in order to maximize the use of community-based programs, to restrict the length of each child's stay at the home to 30 days or less, if possible, and to achieve cost efficiencies in the administration of the program to the maximum extent feasible.~~

SECTION 775. 46.26 (3) of the statutes is repealed and recreated to read:

46.26 (3) GRANTS-IN-AID. (a) The base allocation each county was eligible to receive in 1980 and other allocations referred to in this subsection do not include capacity building funds allocated to the county for 1980 or 1981.

(am) Receipt of funds under this subsection is contingent upon submission and approval of the plan required under sub. (2m).

(b) Prior to January 1, 1982, and within the limits of the appropriation under s. 20.435 (2) (cd), each county shall receive an amount equal to 50% of its 1980 base allocation. In addition, the state shall match appropriations of county tax levy or federal revenue sharing funds up to 1.75% of the county's 1980 base allocation.

(c) Beginning January 1, 1982, and ending December 31, 1982, and within the limits of the appropriation under s. 20.435 (2) (cd), each county shall receive a minimum amount equal to its 1980 base allocation, except that no county may receive an allocation of less than \$19,000 nor less than 65% of an amount the county would have received in 1980 by weighting equally the county's percentage of the total statewide juvenile population, the average Part I law enforcement apprehension of juveniles for 1975 through 1978, as defined by the uniform crime reporting system of the Wisconsin criminal justice information crime and arrest report of the crime information bureau of the department of justice, and the average juvenile correctional placements with the department for 1975 through 1978.

(d) Beginning January 1, 1983, and ending June 30, 1983, each county shall receive within the limits of the appropriation under s. 20.435 (2) (cd) an amount equal to 50% of its 1982 base allocation, as determined under par. (c). In addition, an amount not to exceed \$327,300 shall be allocated to counties pursuant to sub. (4) (b) 2 according to each county's proportionate use of applicable departmental services under s. 48.34.

Vetoed  
in Part

~~(4m) Beginning in 1982, counties with a population of 500,000 or more may expend annually, from funds received under this subsection, an amount not to exceed \$400,000 for the operation of the children's home established under s. 48.58 if:~~

- ~~1. The plan submitted under sub. (2m) (b) is approved by the department, and~~
- ~~2. The county does not reduce its financial support for the children's home below that of fiscal year 1980-81.~~

(e) The department may designate a portion of the appropriation under s. 20.435 (2) (cd), not to exceed 2% of the amount designated under pars. (b) to (d), as an emergency fund available by county request and approval of the secretary to defray costs assessed

under sub. (4) due to unusual circumstances. The department may determine if unusual circumstances exist and require use of this fund.

SECTION 776. 46.26 (4) (a) of the statutes is amended to read:

46.26 (4) (a) ~~Beginning January 1, 1980, and subject to par. (d), the~~ The department shall bill counties or deduct from the allocations under s. 20.435 (2) (cd), ~~less collections credited under s. 46.10 (8e),~~ for the costs of all care, services and supplies purchased or provided by the department for each person receiving services under ss. 48.34 and 51.35 (3). Payment shall be due within 60 days of the billing date. If any payment has not been received within 60 days, the department shall withhold aid payments in the amount due from the appropriations under s. 20.435 (2) ~~(bb)~~ (b) or (cd).

SECTION 777. 46.26 (4) (b) of the statutes is amended to read:

46.26 (4) (b) 1. Assessment of costs under par. (a) shall be made periodically on the basis of a per person per day cost estimate adjusted annually by the department. Liability shall apply to county social service departments established under s. 46.21, 46.22, 46.23 or 49.51 in the county of the court exercising jurisdiction under ch. 48 for each person receiving department services under ss. 48.34 and 51.35 (3). In multicounty court jurisdictions, the county of residency within the jurisdiction shall be liable for costs under this subsection. Assessment of costs under par. (a) shall also be made according to the general placement type or level of care provided, as defined by the department, and prorated according to the ratio of the amount designated under sub. (3) (b) to (d) to the total applicable estimated costs of department care, services and supplies under ss. 48.34 and 51.35 (3), ~~except that beginning~~.

2. Beginning in calendar year 1981 per capita increases in per diem cost assessments shall not exceed the increase in the consumer price index for the preceding 12 months as determined by the U.S. department of labor 1983 if there is an annual increase in the per person daily cost assessment, there shall be an increase in the total funds available to all counties under sub. (3) (b) to (d) sufficient to cover the total increases for state charges under par. (a).

SECTION 778. 46.26 (4) (c) of the statutes is amended to read:

46.26 (4) (c) ~~Beginning January 1, 1980, for~~ For services under s. ss. 48.34 and 51.35 (3), ~~all payments and deductions made under this subsection and uniform fee collections under s. 46.03 (18) shall be deposited in the appropriation under s. 20.435 (2) (kk). For department services under s. 48.34, all payments and deductions made under this subsection and uniform fee collections made under s. 46.03 (18) shall be deposited in the appropriation under s. 20.435 (2) (hm). This paragraph does not apply after December 31, 1982.~~

SECTION 779. 46.26 (4) (d) of the statutes is repealed.

SECTION 780. 46.26 (4) (d) to (g) of the statutes are created to read:

46.26 (4) (d) Except as provided in pars. (e) to (g), beginning January 1, 1983, for services under s. 48.34, all payments and deductions made under this subsection and uniform fee collections made under s. 46.03 (18) shall be deposited in the appropriation under s. 20.435 (3) (hm). In calendar year 1983, counties shall be assessed at a rate of \$1,934 per month for each placement at a juvenile correctional institution. As adjustments in the assessment are made, there shall be a proportionate adjustment in the allocations to counties under this section.

(e) Beginning January 1, 1983, for foster care and institutional child care to delinquent children under ss. 48.48 (4) and (14), 48.52 and 49.19 (10) (d) all payments and deductions made under this subsection and uniform fee collections under s. 46.03 (18) shall be deposited in the appropriation under s. 20.435 (3) (ho).



(f) Beginning January 1, 1983, for services under s. 51.35 (3), all payments and deductions made under this subsection and uniform fee collections under s. 46.03 (18) shall be deposited in the appropriation under s. 20.435 (2) (gk).

(g) Beginning January 1, 1983, for juvenile field and institutional aftercare services under ch. 48 and for the juvenile offender review program, all payments and deductions made under this subsection and uniform fee collections under s. 46.03 (18) shall be deposited in the general fund and shall be treated as a nonappropriated receipt.

**SECTION 781.** 46.26 (5) of the statutes is created to read:

46.26 (5) The juvenile correctional rate review council shall review any proposed rates for juvenile services provided by the state under sub. (4).

**SECTION 782.** 46.27 of the statutes is created to read:

**46.27 Long-term support community options program.** (1) **DEFINITIONS.** In this section:

- (a) "Hospital" has the meaning provided in s. 50.33 (1).
- (b) "Nursing home" has the meaning provided in s. 50.01 (3).
- (c) "Program" means the long-term support community options program.

(2) **DEPARTMENTAL DUTIES.** The department shall:

- (b) Coordinate the program with:
  - 1. Discharge planning from hospitals;
  - 2. Independent medical reviews and professional reviews established under 42 USC 1396a (a) (31); and
  - 3. The protective service system under ch. 55.

(c) Review and approve or disapprove the selection of a county agency under sub. (3) (b) to administer the program.

(d) In consultation with representatives of counties, hospitals and nursing homes and with recipients of long-term community support services, develop guidelines for implementing the program and criteria for reviewing community options plans from counties participating in the program. The guidelines and criteria shall address cost-effectiveness, scope, feasibility and impact on the quality and appropriateness of health and social services and shall provide counties with maximum flexibility to develop programs that address local needs.

(e) Review and approve or disapprove the community options plan of each county participating in the program. To the extent practicable, the department shall also seek to have a cross section of counties participating in the program.

(f) Evaluate the cost-effectiveness of the program and the ability of the program to provide alternatives to institutional care of persons.

(3) **DUTIES OF PARTICIPATING COUNTIES.** The county board of supervisors of any county participating in the program shall:

(a) Create an interagency long-term support planning committee, with the composition and the duties specified under sub. (4).

(b) Designate one of the following agencies, subject to departmental review and approval, to administer the program:

- 1. A county department of social services or public welfare;
- 2. A combined community services board with the powers and duties specified in ss. 51.42 and 51.437; or
- 3. A community human services board created under s. 46.23.

(c) Develop procedures and phases for gradual implementation of this section in accordance with guidelines and criteria the department develops under sub. (2) (d).

(cm) Review and approve, disapprove or amend a community options plan to participate in the program, prior to submitting the plan to the department.

(d) Ensure that the program uses existing county resources and personnel to the greatest extent practicable and enhances the effectiveness of discharge planning from hospitals.

(4) PLANNING COMMITTEE. (a) The county board of supervisors shall select the county long-term support planning committee, which shall include at a minimum the following members:

1. At least 2 persons receiving long-term community support services;
2. One elected county official;
3. One county health representative;
4. One representative of the county department of social services or public welfare;
5. One representative of the community boards created under s. 51.42 or 51.437; and
6. One representative of the county commission on aging.

(b) If practicable, the county board shall select a physically disabled person as one of the members of the planning committee under par. (a).

(c) The planning committee shall develop a community options plan as an addendum to the coordinated plan and budget under s. 46.031 for participation in the program. The plan shall include:

1. A description of the county's proposed program, including the estimated numbers of persons to be assessed and the procedures to be used in performing assessments.
2. A description of the services available and the services to be developed or expanded as alternatives to institutional care under this program.
3. A description of the procedures to be used to coordinate the program with other county agencies, hospitals, nursing homes and providers of community support services.
4. A description of the method to be used to coordinate the use of funds received under this program with the use of other funds allocated to the county under ss. 46.80 (5) and 49.52 (1) (d) and to community mental health boards under s. 51.42 (8).
5. A description of the method to be used by the committee to monitor the implementation of the program.

(5) AGENCY DUTIES. The agency selected by the county board of supervisors to administer the program shall:

(am) Organize assessment activities specified in sub. (6). The agency shall utilize persons for each assessment who can determine the needs of the person being assessed and who know the availability within the county of services alternative to placement in a nursing home or in a state center for the developmentally disabled. If any hospital patient is referred to a nursing home for admission, these persons shall work with the hospital discharge planner in performing the activities specified in sub. (6). The agency shall coordinate the involvement of representatives from the county department of social services or public welfare, community boards created under s. 51.42 or 51.437, health service providers and the county commission on aging in the assessment activities specified in sub. (6), as well as the person being assessed and members of the person's family or the person's guardian.

(b) Within the limits of state and federal funds allocated under sub. (7), arrange service contracts under s. 46.036 and ensure the provision of necessary long-term community support services for each person who meets the criteria specified in sub. (6) (b).

(c) Within the limits of state and federal funds allocated under sub. (7), provide for ongoing case management, periodic case plan review and follow-up services for any person receiving long-term community support services under sub. (6) (b).

(d) 1. Apply the uniform fee schedule under s. 46.03 (18) for long-term community support services provided any person under par. (b), if the person is eligible for medical assistance under s. 49.46 or 49.47 or if the agency finds the person likely to become medically indigent within 6 months by spending excess income for medical or remedial care.

2. Bill other persons not subject to subd. 1 for the full cost of long-term community support services received.

3. Use funds received under this paragraph to pay for long-term community support services.

(e) Within the limits of state and federal funds allocated under sub. (7) and in accordance with the county's plan for gradual implementation, apply the program to any person residing in a nursing home or state center for the developmentally disabled who wants to be assessed and to receive long-term community support services, and coordinate the program with the protective services system under ch. 55.

(6) ASSESSMENTS. (a) 1. Within the limits of state and federal funds allocated under sub. (7), an assessment shall be conducted for any person seeking admission to or about to be admitted to a nursing home in participating counties, or to a state center for the developmentally disabled for extended care placement if the person's county of residence is participating in this program. The assessment shall determine the person's functional abilities, disabilities and need for medical and social long-term community support services. Each assessment shall include an investigation of long-term community support services that could serve as alternatives to institutional placement in a nursing home or in a state center for the developmentally disabled. The assessment shall include an explanation of the alternatives to the person being assessed and the person's family or guardian.

2. Assessment procedures under this paragraph do not apply to any person seeking admission to a nursing home or state center for the developmentally disabled that is excluded because of gradual implementation of the program under sub. (3) (c). Assessment procedures under this paragraph do not apply in emergencies, as determined by a physician, but shall be applied within 10 days of admission. Private pay patients may waive the assessment procedures under this paragraph unless the patient will be eligible for medical assistance within 6 months of assessment.

3. In each participating county, assessments shall be conducted for those persons and in accordance with the procedures described in the county's community options plan. The county may elect to establish assessment priorities for persons in target groups identified by the county in its plan regarding gradual implementation. The county may also elect to assess persons already admitted to nursing homes and eligible for medical assistance.

~~Vetoed in Part 4. If an assessment indicates that a person needs nursing home care, the assessment shall determine the degree of need for this care.~~

(b) Within the limits of state and federal funds allocated under sub. (7), a community services case plan shall be developed for any person with chronic disabilities:

1. Who is assessed under par. (a); and

2. For whom noninstitutional community services are feasible, financially viable and preferred by the person or the person's guardian. In this subdivision, noninstitutional community services are financially viable if they can be financed by state or federal funds allocated under sub. (7).

(c) 1. If an assessment determines that nursing home care is not appropriate for a person who is eligible for medical assistance or who will be eligible within 6 months and if state or federal funds are available to support any needed noninstitutional services for the person in the community, then medical assistance reimbursement is not available for nursing home services provided to the person. An assessment determination that nursing home care is not appropriate supersedes a physician's plan of care authorizing nursing

home care if the assessment determination includes review by a physician. An aggrieved person may appeal the assessment decision under ss. 49.45 (5) and 49.50 (8).

2. This paragraph applies only to counties that have fully implemented the program.

(7) FUNDING. (a) From the appropriation under s. 20.435 (2) (b), the department shall allocate \$152,200 for 1982 and \$503,900 for the first 6 months of 1983 to pay assessment and case plan costs under sub. (6) not otherwise paid under s. 46.032 or 49.45. The department shall reimburse counties for the cost of assessing persons eligible for medical assistance under s. 49.46 or 49.47 as part of the administrative services of medical assistance, payable under s. 49.45 (3) (a). Counties may use unspent funds allocated under this paragraph to pay the cost of long-term community support services.

(b) 1. From the appropriation under s. 20.435 (2) (b), the department shall allocate \$649,200 for 1982 and \$1,677,900 for the first 6 months of 1983 to pay the cost of providing long-term community support services under sub. (5) (b) to persons eligible for medical assistance under s. 49.46 or 49.47 or to persons whom the agency administering the program finds likely to become medically indigent within 6 months by spending excess income for medical or remedial care. The average per person reimbursement under this paragraph may not exceed 42% of the average per person reimbursement rate the department expects under s. 49.45 (6m). The agency administering the program may spend funds received under this paragraph only in accordance with the case plan and service contract created for each person receiving long-term community support services.

2. No county may use funds received under this paragraph to pay for long-term community support services provided any person who resides in a nursing home or state center for the developmentally disabled, unless the department waives this restriction on use of funds and the services are provided in accordance with a discharge plan.

(c) 1. The department shall allocate funds under this section to participating counties according to each county's proportionate share of a 3-factor formula, based equally on each county's percentage of the state's average monthly medical assistance population during the period of February 1978 to July 1978, each county's ranking on an urban-rural scale, which is to be determined based on the county's percentage of population living in cities, towns or villages with populations of 2,500 or more, and each county's ranking as determined by the ratio of the 1977 full value of all taxable property in the county, as defined in s. 70.57, to the county's 1977 population. No county may receive more than 50% of the total funds available in 1982 and, for the first 6 months of 1983, no county may receive less than the funds received in 1982.

2. Receipt of funds under this section is subject to s. 49.52 (2).

3. The department may not release funds under this section before approving the county's community options plan.

(d) The department may release funds to counties acting jointly, if the counties sign a contract approved by the secretary that explains the plans for joint sponsorship.

(e) No county may use funds received under this section to:

1. Purchase land or construct buildings;

2. Replace federal, state or county matching funds for long-term community support services previously provided, as indicated by the prior year's coordinated plan and budget, except to the extent that federal or state funding available for these services decreases; or

3. Reduce the federal, state or county matching expenditures for long-term community support services provided to any person under sub. (5) (b) from funds allocated under s. 46.80 (5), 49.52 (1) (d) or 51.42 (8), except to the extent that federal or state funding allocated under these sections decreases.

(8) COUNTY PARTICIPATION. Beginning January 1, 1982, the department may accept as participants in the program up to 8 counties that elect to comply with this section. Beginning January 1, 1983, this section continues to apply to counties participating in the

program in 1982. In addition, any county within which resides more than one percent of the state's nursing home population, excluding residents of state centers for the developmentally disabled, may elect to participate in the program beginning January 1, 1983. The department may accept these additional counties until the total number of nursing home residents in all participating counties equals 70% of the state's nursing home population, excluding residents of state centers for the developmentally disabled. On or after September 1, 1982, the department may designate other counties it will require to participate in the program in 1983 subject to the condition that the total number of nursing home residents in all participating counties may not exceed 70% of the state's nursing home population, excluding residents of state centers for the developmentally disabled, and subject to approval or modification of the joint committee on finance. The department shall notify the joint committee on finance of the counties it proposes to designate. If the joint committee on finance fails to schedule a public hearing or executive session to review the proposed designation within 21 days after receiving notice, the committee is deemed to have approved the designation.

SECTION 783. 46.70 of the statutes is created to read:

**46.70 Delivery of services to American Indians.** (1) To facilitate the delivery of accessible, available and culturally appropriate social services and mental hygiene services to American Indians by county departments of social services or public welfare, created under s. 46.22 or 49.51, or by boards created under s. 51.42 or 51.437, the department may fund federally recognized tribal governing bodies.

(2) From the appropriation under s. 20.435 (2) (dL), the department may make available to any of the 11 federally recognized tribal governing bodies in this state funds for the purposes stated in sub. (1). Beginning January 1, 1982, and ending December 31, 1982, each tribal governing body may apply to the department for up to \$24,000. Beginning January 1, 1983, and ending June 30, 1983, each tribal governing body may apply to the department for up to \$11,700. Receipt of funds is contingent upon department approval of the application. The department may partially approve any application and provide only part of the funds requested. Each application shall contain a plan for expenditure of funds, consistent with the purposes stated in sub. (1).

(3) Reimbursement to each tribal governing body is limited to the lesser of total costs or the contract amount, not to exceed the amount specified in sub. (2). Reimbursement to each tribal governing body is also limited to expenditures contained in the plan approved under sub. (2). The department may make advance payments of up to one-twelfth of an annual contract. As a condition of reimbursement, each tribal governing body shall maintain an accounting system and shall submit expenditure reports as the department prescribes in the contract.

SECTION 784. 46.80 (5) (a) of the statutes is amended to read:

46.80 (5) (a) The department shall administer a state supplement to the federal congregate nutrition projects under 42 USC 3030e, in effect on April 30, 1980, from the appropriation under s. 20.435 (2) (df) which will promote expansion of projects throughout the state. All The department shall allocate these funds based on the percentage of the state's population of low-income persons over age 60 who reside in each county or who are members of an American Indian tribe, except that all counties receiving federal funds for congregate nutrition projects on or after July 1, 1977, may not receive an amount less than the 1976-77 allocation as a result of the program expansion. This paragraph does not require that federal limitations on the use of federal congregate nutrition funds for home delivered meals apply to the state supplement.

SECTION 785. 46.80 (5) (b) of the statutes is repealed and recreated to read:

46.80 (5) (b) From the appropriation under s. 20.435 (2) (df), the department shall provide funds to counties and to federally recognized tribal governing bodies to supplement federal projects providing home delivered meals under 42 USC 3030f and 3030g or

to supplement nonfederally funded projects under s. 46.85. The department shall allocate these funds based on the percentage of the state's population of low-income persons over age 60 who reside in each county or who are members of an American Indian tribe. Beginning January 1, 1982, and ending December 31, 1982, the total amount allocated may not exceed \$580,000. Beginning January 1, 1983, and ending June 30, 1983, the total amount allocated may not exceed \$300,100.

SECTION 786. 46.80 (5) (c) of the statutes is created to read:

46.80 (5) (c) The department shall, by rule, define the standard of "low income" that it uses in this subsection.

SECTION 787. 46.80 (7) of the statutes is repealed.

SECTION 788. 46.85 (3) of the statutes is amended to read:

46.85 (3) ~~From the appropriation under s. 20.435 (2) (df), the secretary~~ Prior to January 1, 1982, the department shall make renewable state grants-in-aid from the appropriation under s. 20.435 (2) (df) to qualified public and nonprofit private agencies for the operation of local senior companion and retired senior volunteers program units. The grants shall be for periods of 12 months or less and shall be for no more than 90% of approved nonfederal expenditures and other expenditures specifically authorized by the secretary. The grants may not be used to match other state funds. The department shall apportion funds provided under this subsection to each county based on the percentage of the low income elderly population in the state residing in that county that receives funds under this section for the period from January 1, 1981, to June 30, 1981. The department shall allocate the amount apportioned upon application by qualified public and nonprofit private agencies. Any amounts apportioned to a county but not allocated may be apportioned and allocated to other counties. Funds provided under this subsection may not be allocated to any project unless that project maintains its calendar year 1979 levels of federal and local funding, except to the extent that available federal funding decreases. Programs funded under this subsection and established after July 29, 1979, shall engage at least 10 companions or volunteers or combination thereof. The department may not expend any funds under this subsection prior to approval by the joint committee on finance of the criteria to be used in approving or disapproving applications by qualified public and nonprofit private agencies. If the joint committee on finance does not approve the criteria submitted by the department, the joint committee on finance shall prepare criteria for the department and release the funds under this subsection within 60 days of July 29, 1979.

SECTION 789. 46.85 (3m) of the statutes is created to read:

46.85 (3m) From the appropriation under s. 20.435 (2) (df), the department shall provide a state supplement to federally funded senior companion and retired senior volunteer program units. Beginning January 1, 1982, and ending December 31, 1982, each unit shall receive an amount equal to its 1981 state allocation. In addition, the department may provide up to \$11,600 to the units. Beginning January 1, 1983, and ending June 30, 1983, each unit shall receive 50% of its 1981 state allocation. In addition, the department may provide up to \$11,800 to the units.

SECTION 790a. 46.90 (2) (title) of the statutes is amended to read:

46.90 (2) (title) MULTIPURPOSE SERVICE CENTERS.

SECTION 790b. 46.90 (2) (a) of the statutes is repealed and recreated to read:

46.90 (2) (a) The department shall establish one or more multipurpose service centers for displaced homemakers.

SECTION 790d. 46.90 (2) (b) (intro.) of the statutes is amended to read:

46.90 (2) (b) (intro.) The Each center shall include the following services:

SECTION 790f. 46.90 (2) (c) of the statutes is amended to read:

Vetoed  
in Part

~~46.90 (2) (c) Supervisory, technical and administrative positions relating to the center centers established under this section shall, to the maximum extent feasible, be filled by displaced homemakers.~~

~~SECTION 790h. 46.90 (3) (title) of the statutes is amended to read:~~

~~46.90 (3) (title) SELECTION AND ADMINISTRATION OF CENTERS.~~

~~SECTION 790j. 46.90 (3) (a) (intro.) of the statutes is amended to read:~~

~~46.90 (3) (a) (intro.) In selecting a site for the each center established under sub. (2), the department shall consider:~~

~~SECTION 790L. 46.90 (3) (b) of the statutes is amended to read:~~

~~46.90 (3) (b) As soon as possible after the selection of a particular site for the each center under par. (a), and in any case not later than one year after May 19, 1978, the department shall select a public or nonprofit private agency or organization to administer the center. The selection of such an agency or organization shall be made after through a competitive application process and with the consultation with of state and local government agencies, and shall take into consideration the experience and capability of the agencies and organizations in administering the services to be provided by the center.~~

~~SECTION 790n. 46.90 (3) (c) of the statutes is amended to read:~~

~~46.90 (3) (c) The department may make grants from the appropriation under s. 20.435 (2) (bd) to the each agency or organization selected under par. (b) for the purpose of establishing and maintaining the each center. The Each agency or organization shall be eligible for grants equal up to the total cost of establishing and maintaining a center. In making grants under this paragraph, the department shall give priority to maintaining services and shall also give priority to expanding services to any county with a population exceeding 500,000.~~

~~SECTION 790p. 46.90 (3) (d) of the statutes is amended to read:~~

~~46.90 (3) (d) As soon as practicable and in any case not later than 6 months after May 19, 1978, the department shall promulgate rules prescribing the standards which shall be met by the each center in accordance with the policies set forth in this section. Continuing grants for the maintenance of each center shall be contingent upon the determination by the department, based upon evaluations under this section, that the center is in compliance with the standards prescribed by the department.~~

~~SECTION 790r. 46.90 (3) (e) of the statutes is amended to read:~~

~~46.90 (3) (e) The department shall consult and cooperate with the appropriate state and federal officials to facilitate the coordination of the each center established under this section with existing programs of a similar nature.~~

~~SECTION 790t. 46.90 (4) (a) of the statutes is renumbered 46.90 (4) and amended to read:~~

~~46.90 (4) EVALUATION. The department, in consultation with appropriate persons, shall prepare and furnish to the legislature evaluations of the each center established under this section. Such evaluation shall include a thorough assessment of the each center, and recommendations concerning the administration and expansion of this these and other possible centers.~~

~~SECTION 790v. 46.90 (4) (b) of the statutes is repealed.~~

~~SECTION 791. 46.93 of the statutes is repealed.~~

~~SECTION 792c. 46.95 (2) (b) 5 of the statutes is created to read:~~

~~46.95 (2) (b) 5. Maintenance of effort, by a city or county, regarding domestic abuse services provided by an organization on or before the date of application for a grant, if that organization applies for a grant for domestic abuse services to be first provided after the date of application.~~

Vetoed  
in Part

~~SECTION 792h. 46.95 (2) (d) of the statutes is amended to read:  
46.95 (2) (d). No organization may receive more than 70 % of its operating budget or \$100,000 annually, whichever is less, under this section. If the organization is not or will not be providing shelter facilities or private home shelter care, it shall not receive more than 70 % of its operating budget or \$50,000 annually, whichever is less, under this section. The department may not fund domestic abuse services of an organization until that organization raises its share of its operating budget as required under this paragraph.~~

Vetoed  
in Part

SECTION 792m. 46.95 (2) (e) of the statutes is repealed and recreated to read:

46.95 (2) (e) Of the funds distributed under this section for fiscal year 1981-82, not less than 75 % shall be used to continue funding domestic abuse services that currently receive state funds under this section and not more than 25 % shall be for other domestic abuse services. Of the funds distributed under this section for fiscal year 1982-83, not less than 90 % shall be used to continue funding domestic abuse services that received state funds under this section during the previous fiscal year and not more than 10 % shall be for other domestic abuse services. For new domestic abuse services, the department shall give preference to services in areas of the state where these services are not otherwise available. Any funds that are not spent under one category of this formula at the end of a fiscal year may be reallocated by the department to the other category. The expenditure of reallocated funds may not be counted for the purpose of determining the percentage of funds distributed by category under this paragraph.

Vetoed  
in Part

SECTION 796. 48.22 (6) of the statutes is repealed.

SECTION 796e. 48.275 (title) of the statutes is amended to read:

**48.275 (title) Parents' contribution to cost of court and legal services.**

SECTION 796m. 48.275 of the statutes is renumbered 48.275 (1).

SECTION 796s. 48.275 (2) of the statutes is created to read:

48.275 (2) (a) If this state or a county provides legal counsel to a child subject to s. 48.12 or 48.13, the court shall order the parents or guardian to provide a statement of assets and expenses to the county department of social services or public welfare and shall order the parents or guardian of the child to reimburse the state or county if required under par. (b). The court may not order reimbursement if a parent or guardian is the complaining or petitioning party or if the court finds that the interests of the parent or guardian and the interests of the child in the proceedings are substantially and directly adverse and that reimbursement would be unfair to the parent or guardian. The court may not order reimbursement until after the child is found to be delinquent under s. 48.12 or in need of protection and services under s. 48.13, or until after the completion of all court proceedings under this chapter.

(b) If this state provides the child with legal counsel, the county department of social services or public welfare shall determine whether the parent or guardian is indigent as provided under s. 977.07 and shall determine the amount of reimbursement. If the parent or guardian is found not to be indigent, the amount of reimbursement shall be the maximum amount established by the public defender board. If the parent or guardian is found to be indigent in part, the amount of reimbursement shall be the amount of partial payment determined in accordance with the rules of the public defender board under s. 977.02 (3).

(c) If the county provides the child with legal counsel, the amount of reimbursement shall be the amount ordered by the court. The court may establish the amount of reimbursement or may appoint a county agency to determine whether the parent or guardian shall make full or partial reimbursement. If the court or the agency finds that the parent or guardian is indigent in part, the court shall promptly notify the parent or guardian of the county's right to reimbursement under this subsection.



(d) Reimbursement payments shall be made to the clerk of courts of the county where the proceedings took place. Each payment shall be transmitted to the county treasurer, who shall deposit 20% of the amount paid for state-provided counsel in the county treasury and transmit the remainder to the state treasurer for deposit in the general fund. The county treasurer shall deposit 100% of the amount paid for county-provided counsel in the county treasury.

SECTION 800. 48.58 (2) of the statutes is repealed.

SECTION 801. 48.62 (2) of the statutes is amended to read:

48.62 (2) Relatives as defined in s. 48.02 (15) or as specified in s. 49.19 (1) (a) or a guardian of a child, who provide care and maintenance for a child, are not required to obtain the license specified in this section. The department or a county agency or licensed child welfare agency as provided in s. 48.75 may issue a license to operate a foster home to those relatives who have no duty of support under s. 52.01 (1) (a) and who request a license to operate a foster home for a specific child who is either placed by court order or who is the subject of a voluntary placement agreement under s. 48.63. Relatives with no duty of support who seek licenses to operate foster homes are subject to the department's licensing rules.

SECTION 802. 48.627 of the statutes is amended to read:

**48.627 Liability insurance for foster parents.** The department shall, from the ~~appropriation~~ appropriations under s. 20.435 (2) (de) and (p), purchase insurance for foster parents to cover the liability of the foster parents, to the extent not provided in the foster parent's homeowner's insurance policy, for injuries sustained or property damage caused by foster children in the foster parent's care, subject to the limitations contained in the policy.

SECTION 806. 48.998 of the statutes is created to read:

**48.998 Expenditure of federal child welfare funds.** Expenditure by the department of funds received under 42 USC 620 to 626 is limited or required as follows:

- (1) For innovative child welfare projects or services provided or purchased by the department, up to \$200,000 per fiscal year;
- (2) For the purposes of s. 46.26, at least \$500,000 per fiscal year; and
- (3) For the purposes of s. 46.26, any unencumbered balance of the funds.

SECTION 807. 49.01 (4) of the statutes is amended to read:

49.01 (4) "Dependent person" or "dependent" means a person without the present available money or income or property or credit, or other means by which the same can be presently obtained, sufficient to provide the necessary commodities and services specified in sub. (1). Credit received under s. 71.09 (7) ~~is~~ and federal home energy assistance benefits authorized under 42 USC 8601 to 8612 are not income or resources for purposes of determining dependency or the amount of relief provided.

SECTION 807m. 49.02 (8) of the statutes is created to read:

49.02 (8) Any person found ineligible for medical assistance because of the divestment provisions under s. 49.46 (1) (f) or 49.47 (4) (d) is ineligible for medical care under this section for the same period during which ineligibility exists under s. 49.46 (1) (f) or 49.47 (4) (d).

SECTION 808. 49.04 (1) of the statutes is amended to read:

49.04 (1) From the appropriation under s. 20.435 (4) (e), the state shall reimburse the counties for such temporary assistance as may be needed pursuant to s. 49.01 (7) for all dependent persons who do not have a settlement within any county in this state and who have resided in the state less than one year, but expenses for medical care shall be paid only in those cases in which application for benefits under ss. 49.46 and 49.47 has

been made during the first 30-day period and ineligibility for such benefits has been established. No state reimbursement for medical care may be paid if the person is found ineligible for medical assistance because of the divestment provisions under s. 49.46 (1) (f) or 49.47 (4) (d).

SECTION 809. 49.046 (1) of the statutes is amended to read:

49.046 (1) (a) 1. From the appropriation ~~made in~~ under s. 20.435 (1) (o) and (p) and (4) (e) the department shall grant relief to needy Indian persons not eligible for aid under s. 49.177, 49.19, 49.46 or 49.47 and residing on tax-free lands or in Menominee county, except that a person who fails to comply with s. 49.047 may be denied aid under this section. The department may not use funds from the appropriations under s. 20.435 (1) (o) or (p) or (4) (e) to grant relief to needy Menominee Indians.

2. From the appropriation under s. 20.435 (4) (n), the department shall grant relief to needy Menominee Indians who are not eligible for aid under s. 49.177, 49.19, 49.46 or 49.47, except that the department may deny aid under this section to any person who fails to comply with s. 49.047.

(b) The department shall appoint the elected tribal governing body administering federal assistance on the lands or the Menominee county department of social services to administer relief under this section. If no elected tribal governing body administers federal assistance on the lands, if the local elected tribal governing body so chooses or if the elected tribal governing body fails or refuses to administer the program in accordance with rules adopted under this section, the department may appoint an appropriate Indian organization in the county or municipality in which the needy Indian persons reside or a county department of public welfare or social services to administer relief under this section. Before appointing another agency because the tribal governing body fails or refuses to administer the program in accordance with departmental rules, the department shall notify the body of the rules the body has violated. The department shall give the tribal governing body a reasonable opportunity to correct the violations and shall assist the body in correcting the violations. If the violations are not corrected, the department may appoint another agency to administer the program after notifying the tribal governing body of the appointment and providing the body with a hearing before the department secretary. Any agency so appointed shall make all reports required under this section.

(c) Reimbursement for the costs of administering relief under this section shall be made from the appropriation under s. 20.435 (4) (de). The department shall establish rules governing allowable costs of administration. The department may enter into suitable agreements with any appropriate agency of the federal government for provision of relief to needy Indian persons. Administration of relief under this section by any elected tribal governing body or other Indian organization does not confer jurisdiction over any tribe or Indian organization upon this state.

SECTION 810. 49.047 (2) of the statutes is amended to read:

49.047 (2) In this section, "work experience program" means a program authorized and sponsored by the ~~body~~ agency appointed to administer relief under s. 49.046 for eligible recipients of relief under s. 49.046.

SECTION 811. 49.047 (3) of the statutes is repealed and recreated to read:

49.047 (3) (a) The agency administering relief under s. 49.046 shall operate a work experience program. The department may waive this requirement for any agency if it finds that requiring the agency to operate the program is not cost effective due to the low number of participants.

(b) Any county department of public welfare or social services operating a work experience program is liable to persons participating in the program for any worker's compensation benefits recoverable under ch. 102. The agency may contract with any governmental unit for whose benefit a work experience project is primarily designed to assume

wholly or to share liability. Any governmental unit benefited by a work experience project may contract to assume this liability. If an elected tribal governing body or an Indian organization is operating the work experience program, liability for worker's compensation benefits attaches only if the elected tribal governing body or Indian organization contracts to assume this liability with the department.

SECTION 812. 49.047 (5) of the statutes is amended to read:

49.047 (5) ~~A body appointed by the department to administer relief under s. 49.046 shall authorize work experience programs for the performance of any work not prohibited by law. Such~~ Work experience programs shall not be operated so as to supplant regular employes of the administering entity or other municipal, county or state governmental units.

SECTION 813. 49.055 of the statutes is repealed.

SECTION 814. 49.10 (12) (f) 1 of the statutes is amended to read:

49.10 (12) (f) 1. Public. Waupun correctional institution; the correctional institutions authorized under s. 46.05; Fox Lake correctional institution; Green Bay correctional institution; Dodge correctional institution; Taycheedah correctional institution; Oakhill correctional institution; Kettle Moraine correctional institution; Wisconsin correctional camp system; community correctional residential centers; Lincoln Hills school; Ethan Allen school; county jails or houses of correction; centers for the developmentally disabled; Mendota and Winnebago mental health institutes; central state hospital; Wisconsin school for the visually handicapped; Wisconsin school for the deaf; federal, state, county or municipal hospitals, asylums, infirmaries, tuberculosis sanatoriums or homes for the aged; veterans' hospitals, domiciliaries and homes.

SECTION 815. 49.11 (4) (cm) of the statutes is created to read:

49.11 (4) (cm) *Assessment of hearing costs.* The department may assess administrative costs incurred by conducting any hearing under sub. (7) against the county or municipality liable for relief. The department may waive the assessment of costs to enhance program administration. The department shall, by rule, establish procedures for determining costs under this paragraph.

SECTION 816. 49.12 (9) of the statutes is amended to read:

49.12 (9) If any person obtains for himself, or any other person or dependents or both, assistance under this chapter on the basis of facts stated to the authorities charged with the responsibility of furnishing assistance and fails to notify said authorities within 10 days of any change in the facts as originally stated and continues to receive assistance based on the originally stated facts such failure to notify shall be considered a fraud and the penalties in sub. (1) shall apply. The negotiation of a check received in payment of such assistance by the recipient or the withdrawal of any funds credited to the recipient's account through the use of any other money transfer technique after any change in such facts which would render him ineligible for such assistance shall be prima facie evidence of fraud in any such case.

SECTION 817. 49.177 (2) (a) (intro.) of the statutes is amended to read:

49.177 (2) (a) (intro.) Persons enumerated in subs. 1 to 4 under this paragraph who meet the resource limitations of federal Title XVI are entitled to receive supplemental payments in an amount determined by the department and approved or amended by the joint committee on finance. Prior approval of a modification in the amount of supplemental payments will be deemed to be given, if within 21 calendar days after the department files a proposed modification with the joint committee on finance, the committee has not scheduled a public hearing or executive session to review the proposed modification. Payment modifications approved by the joint committee on finance shall be subject to the approval of the governor. Following action by the joint committee on finance, the governor shall have 10 days, not including Sundays, to communicate approval or disapproval in

writing. If no action is taken by the governor within that time, the decision of the joint committee on finance shall take effect. The procedures under s. 13.10 do not apply to this paragraph.

SECTION 817m. 49.177 (3g) of the statutes is created to read:

49.177 (3g) FEDERAL PAYMENTS. If federal supplemental security income payments increase, the department shall pass these increases directly to persons eligible for payments under this section without reducing payments under this section.

SECTION 818. 49.177 (4) (c) of the statutes is amended to read:

49.177 (4) (c) Agreements made under this subsection or modifications to such agreements require prior approval or amendment by the joint committee on finance. Prior approval will be deemed to be given if within 21 calendar days following the department filing a proposed modification with the joint committee on finance, the committee has not scheduled a public hearing or executive session to review the proposed modification. Agreements or modifications to such agreements approved by the joint committee on finance shall be subject to the approval of the governor. Following action by the joint committee on finance, the governor shall have 10 days, not including Sundays, to communicate approval or disapproval in writing. If no action is taken by the governor within that time, the decision of the joint committee on finance shall take effect. The procedures under s. 13.10 do not apply to this paragraph.

SECTION 819. 49.19 (1) (c) of the statutes is amended to read:

49.19 (1) (c) 1. "Aid to families with dependent children" means money payments with respect to, or vendor payments as prescribed by the department, or medical care in behalf of or any type of remedial care recognized under subs. (1) to (10) or s. 49.46 or necessary burial expenses as defined in sub. (5) in behalf of a dependent child or dependent children including.

2. "Aid to families with dependent children" also includes such aid to meet the needs of the relative with whom any dependent child is living and the spouse of the relative if:

a. The spouse is living with the relative and if, the relative is the child's parent and the child is a dependent child by reason of the physical or mental incapacity of a parent or; or

b. The spouse is a convicted offender permitted to live at home but precluded from earning a wage because the spouse is required by a court imposed sentence to perform unpaid public work or unpaid community service.

3. "Aid to families with dependent children" also includes payments made to another individual not a relative enumerated under par. (a), pursuant to federal regulations, when such if:

a. The individual has been appointed by a court of competent jurisdiction as a legal representative of the dependent child or when such; or

b. The individual who may be a caseworker has been designated by the county welfare or social services department to receive payment of the aid or cash payments to recipients who are engaged in an approved work relief or training project.

(d) The rate of payment for skilled nursing care provided under this section shall be determined by the county under guidelines established by the department pursuant to s. 49.45 (6m). Payment for limited care shall not exceed 90% of the applicable Title XIX skilled care rate. Payment for personal care shall not exceed 80% of the applicable Title XIX skilled care rate.

SECTION 820m. 49.19 (2) (a) of the statutes is amended to read:

49.19 (2) (a) ~~A prompt investigation of the circumstances of the child shall be made (which shall include a visit to its home) before granting aid~~ home visit may be made at the option of the county to investigate the circumstances of the child before granting aid. The department may, however, require a county to make a home visit for this purpose if the department finds that a need exists. A report upon ~~such investigation~~ a home visit shall be made in writing and become a part of the record in the case. Every applicant shall be promptly notified in writing of the disposition of his application. Aid shall be furnished with reasonable promptness to any eligible individual.

SECTION 821. 49.19 (2) (b) of the statutes is repealed.

SECTION 823. 49.19 (4) (d) (intro.) of the statutes is amended to read:

49.19 (4) (d) (intro.) Aid may be granted to the mother or stepmother of a dependent child if she is without a husband ~~unless or if she:~~

SECTION 824. 49.19 (4) (d) 2 of the statutes is amended to read:

49.19 (4) (d) 2. Is the wife of a husband who is incarcerated ~~or who is a convicted offender permitted to live at home but precluded from earning a wage because the husband is required by a court imposed sentence to perform unpaid public work or unpaid community service;~~ or

SECTION 826. 49.19 (4) (em) of the statutes is amended to read:

49.19 (4) (em) The ownership of one motor vehicle registered under ch. 341 or 350 by an AFDC group may not prevent the granting of aid. ~~Ownership of a A 2nd vehicle shall be permitted~~ is exempt from consideration as an asset only if the department determines it is necessary for purposes of employment or to obtain medical care. For purposes of this paragraph and of par. (es), an "AFDC group" consists of those persons listed on the application form for whom aid is being requested. The equity value of any nonexempt vehicles owned by the AFDC group is an asset for purposes of determining eligibility for aid under this section.

SECTION 827. 49.19 (4) (es) of the statutes is amended to read:

49.19 (4) (es) In the determination of eligibility for aid under this subchapter all income of the AFDC group ~~as defined under par. (em)~~ shall be considered except an amount ~~equal to~~ allowed under sub. (5) (a) 2m for expenses incurred in the earning of income and any other amount which must be disregarded under federal law and regulations. ~~The work related expense deduction shall be set at the greater of 18% of gross income or the amount of actual expenditures.~~

SECTION 827m. 49.19 (5) (a) 2 of the statutes is amended to read:

49.19 (5) (a) 2. From the earned income of any other child 14 years of age or older or any other individual living in the same home as the child and whose needs are taken into account in determining the budget the first \$30 of the total of such earned income for such month plus one-third of the remainder of such income shall not be counted in determining the family income. The exclusion provided under this subdivision does not apply to earned income derived from a training or retraining project or in the case of any person who terminates or reduces his or her income, terminates his or her employment or refuses employment without good cause. However, the department may adjust this earned income provision by rule to conform to changes made in federal regulations when such adjustment is approved by the joint committee on finance. ~~Requests for approval of adjustments shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).~~

SECTION 828. 49.19 (5) (a) 2m of the statutes is amended to read:

49.19 (5) (a) 2m. From the earned income of any other child 14 years of age or older or any other individual living in the same home and whose needs are taken into account in determining the budget, an amount equal to expenses ~~incurred in~~ reasonably related to

the earning of income shall not be counted in determining the family income. ~~The work-related expense deduction shall be set at the greater of 18% of gross income or the amount of actual expenditures~~ The department may determine which expenses are reasonably related to the earning of income, but may not exceed the amount allowed under 45 CFR 233.20.

SECTION 829. 49.19 (5) (a) 3 of the statutes is amended to read:

49.19 (5) (a) 3. When required by federal law, a portion of monthly child support payment collections shall be paid to the family in accordance with federal law, rules and regulations and shall not be considered as income or as a resource. Such payments shall be made ~~by separate check~~ separately from other payments under this subsection.

SECTION 830. 49.19 (5) (d) of the statutes is amended to read:

49.19 (5) (d) The department shall reimburse the county for the funeral and burial expenses of a dependent child or the child's parents as provided in s. 49.30. In addition, the department shall reimburse the county fully for actual cemetery ~~charges~~ expenses paid under this section.

SECTION 831. 49.19 (11) (a) 1. a of the statutes is amended to read:

49.19 (11) (a) 1. a. Monthly payments made under s. 20.435 (4) (d) to persons or to families with dependent children shall be based on family size and shall be at 85% of the following standards for the period from ~~August 1, 1979~~ the effective date of this act (1981) to June 30, 1980 1982. [See Figure 49.19 (11) (a) 1. a. following]

Figure: 49.19 (11) (a) 1. a.

FAMILY SIZE	AREA I		AREA II	
	<del>\$233</del>	<u>\$266</u>	<del>\$226</del>	<u>\$258</u>
1	<del>412</del>	<u>472</u>	<del>400</del>	<u>458</u>
2	<del>486</del>	<u>556</u>	<del>470</del>	<u>539</u>
3	<del>579</del>	<u>662</u>	<del>562</del>	<u>642</u>
4	<del>665</del>	<u>761</u>	<del>645</del>	<u>738</u>
5	<del>748</del>	<u>822</u>	<del>696</del>	<u>797</u>
6	<del>778</del>	<u>891</u>	<del>755</del>	<u>864</u>
7	<del>825</del>	<u>945</u>	<del>800</del>	<u>917</u>
8	<del>865</del>	<u>990</u>	<del>839</del>	<u>960</u>
9	<del>885</del>	<u>1,013</u>	<del>857</del>	<u>983</u>
10				

SECTION 832. 49.19 (11) (a) 1. b of the statutes is amended to read:

49.19 (11) (a) 1. b. Payments made from July 1, ~~1980 1982~~, to June 30, ~~1981 1983~~, shall be at 85% of the following standard: [See Figure 49.19 (11) (a) 1. b. following]

Figure: 49.19 (11) (a) 1. b.

FAMILY SIZE	AREA I		AREA II	
	<del>\$250</del>	<u>\$284</u>	<del>\$243</del>	<u>\$275</u>
1	<del>443</del>	<u>503</u>	<del>430</del>	<u>488</u>
2	<del>522</del>	<u>592</u>	<del>506</del>	<u>574</u>
3	<del>622</del>	<u>706</u>	<del>603</del>	<u>685</u>
4	<del>715</del>	<u>811</u>	<del>694</del>	<u>787</u>
5	<del>772</del>	<u>876</u>	<del>749</del>	<u>850</u>
6	<del>837</del>	<u>949</u>	<del>812</del>	<u>921</u>
7	<del>887</del>	<u>1,006</u>	<del>860</del>	<u>976</u>
8	<del>930</del>	<u>1,054</u>	<del>902</del>	<u>1,022</u>
9	<del>954</del>	<u>1,078</u>	<del>922</del>	<u>1,046</u>
10				

SECTION 834. 49.19 (11) (c) of the statutes is created to read:

Vetoed  
in Part 49.19 (11) (c) Monthly payments for an AFDC group not containing an ~~adult~~ caretaker are 18.29% per child of the monthly payments to a family of 4, as established in par. (a) 1 and 2. This paragraph does not apply to an AFDC group with an ~~adult~~ caretaker who receives state supplemental payments under s. 49.177.

SECTION 835. 49.19 (12) of the statutes is amended to read:

49.19 (12) Monthly payments in foster care shall be provided according to the following age-related rates beginning January 1, 1980: ~~\$129~~ 1981: \$139 for children aged 4 and under; ~~\$167~~ \$180 for children aged 5 to 11; ~~\$188~~ \$202 for children aged 12 to 14 and ~~\$215~~ \$231 for children aged 15 to 17. In addition to these grants for basic maintenance, supplemental payments for special needs and initial clothing allowances shall be made according to rules which the department shall promulgate. Beginning January 1, ~~1981~~ 1982, the age-related rates shall be: ~~\$139~~ \$146 for children aged 4 and under; ~~\$180~~ \$189 for children aged 5 to 11; ~~\$202~~ \$212 for children aged 12 to 14 and ~~\$231~~ \$243 for children aged 15 to 17. Beginning January 1, 1983, the age-related rates shall be: \$153 for children aged 4 and under; \$198 for children aged 5 to 11; \$222 for children aged 12 to 14 and \$254 for children aged 15 to 17.

SECTION 836. 49.30 of the statutes is amended to read:

**49.30 Funeral expenses.** On the death of a recipient of benefits under 42 USC 1381 to 1385, in effect on May 8, 1980, or s. 49.177 or 49.46, if the estate of the deceased is insufficient to pay the funeral and burial expenses and the actual cemetery ~~charges, the expenses, the funeral and burial expenses and charges cemetery expenses~~ shall be paid under this section by the county responsible for the burial of the recipient to those persons as the county agency directs. ~~For purposes of state reimbursement, the funeral and burial expenses for the deceased may not exceed \$600 except in unusual circumstances approved by the department.~~ The state shall reimburse the county the lesser of \$600 or the funeral and burial expenses not paid by the estate of the deceased and other persons. If, however, the total funeral and burial expenses exceed \$600, the state may not reimburse the county for any part of the funeral and burial expenses except in unusual circumstances approved by the department. In addition, the state shall reimburse the county fully for actual cemetery ~~charges~~ expenses paid under this section.

SECTION 839. 49.45 (2) (a) 4 of the statutes is amended to read:

49.45 (2) (a) 4. Certify To the extent funds are available under s. 20.435 (1) (bm), certify all proper charges and claims for administrative services to the department of administration for payment and the department of administration shall draw its warrant forthwith;

SECTION 840. 49.45 (2) (a) 17 of the statutes is created to read:

49.45 (2) (a) 17. Notify the governor, the joint committee on legislative organization, the joint committee on finance and appropriate standing committees, as determined by the presiding officer of each house, if the appropriation under s. 20.435 (1) (b) is insufficient to provide the state share of medical assistance.

SECTION 840g. 49.45 (2) (a) 18 of the statutes is created to read:

49.45 (2) (a) 18. Conduct outreach for the early and periodic screening, diagnosis and treatment program as required under 42 CFR 441. This activity is limited to persons under 21 years of age who are receiving or whose families are receiving cash payments under s. 49.19.

SECTION 840j. 49.45 (2) (a) 19 of the statutes is created to read:

49.45 (2) (a) 19. Determine for each community mental health board created under s. 51.42 a base level of medical assistance expenditures for inpatient psychiatric care including alcohol or other drug abuse treatment services for persons age 22 to 64, in order to implement s. 49.46 (2) (b) 7. In making this determination the department shall consider admissions by county of residence, sharing cost savings and other factors to provide

incentives to control utilization of these services in hospitals other than psychiatric or mental hospitals. The department shall transfer or credit, subject to the final base determination methodology, funds to the boards from the appropriation under s. 20.435 (1) (b) equal to 20% of the base level of expenditures each year, if the board operates a special hospital under s. 51.42 (8) (g), or equal to 10% of the base level of expenditures each year, if the board does not operate a special hospital. The board may apply these funds against its liability for psychiatric services provided in any hospital. The transfer of funds and base determination methodology are subject to approval of the joint committee on finance.

SECTION 840m. 49.45 (2) (b) 5 of the statutes is created to read:

49.45 (2) (b) 5. Enter into contracts with providers who donate their services at no charge or who provide services for reduced payments.

SECTION 841. 49.45 (3) (a) of the statutes is amended to read:

49.45 (3) (a) Reimbursement shall be made to each county agency for the administrative services performed in the medical assistance program on the basis of s. 49.52. For purposes of reimbursement under this paragraph, assessments completed under s. 46.27 (6) (a) are administrative services performed in the medical assistance program.

SECTION 842. 49.45 (3) (e) 5 of the statutes is amended to read:

49.45 (3) (e) 5. If total reimbursement paid to a hospital for services rendered during its fiscal year is greater than the lower of the hospital's charges or actual and reasonable allowable costs, the hospital shall promptly repay the difference to the department. The department shall determine the hospital's actual and reasonable allowable costs by applying reimbursement principles and criteria developed or rates determined under subd. 1.

SECTION 843. 49.45 (3) (e) 6 of the statutes is amended to read:

49.45 (3) (e) 6. If total reimbursement paid to a hospital for services rendered during the hospital's fiscal year is less than the lower of the hospital's charges or actual and reasonable allowable costs, the department shall promptly pay the hospital the difference. The department shall determine the hospital's actual and reasonable allowable costs by applying reimbursement principles and criteria developed or rates determined under subd. 1.

SECTION 844. 49.45 (3) (e) 7 of the statutes is created to read:

49.45 (3) (e) 7. The daily reimbursement rate to a hospital for services provided to medical assistance recipients awaiting admission to a skilled nursing home or intermediate care facility may not exceed the maximum reimbursement rate based on the average adjusted state skilled nursing facility rate, created under sub. (6m). This limited reimbursement rate to a hospital commences on the date an authorized representative of a professional standards review organization, established under 42 USC 1320c to 1320c-22, determines that continued hospitalization of a recipient is no longer necessary and that admission to a skilled or intermediate care nursing facility is more appropriate for the continued care of the recipient. Any hospital whose occupancy rate during the previous year was 80% or more shall be reimbursed at the hospital rate determined under this paragraph.

SECTION 845. 49.45 (3) (e) 8 of the statutes is created to read:

49.45 (3) (e) 8. Reimbursement for outpatient hospital laboratory and X-ray services may not exceed reimbursement for comparable services performed by providers not owned or operated by hospitals.

SECTION 846. 49.45 (3) (e) 9 and 10 of the statutes are created to read:

49.45 (3) (e) 9. Hospital education and research costs that the department finds to be indirectly related to patient care are not allowable costs in establishing a hospital's reimbursement rate under subd. 1.



10. Hospital procedures on an inpatient basis that could be performed on an outpatient basis shall be reimbursed at the outpatient rate. The department shall determine which procedures this subdivision covers.

SECTION 847. 49.45 (3) (j) of the statutes is created to read:

49.45 (3) (j) Reimbursement for administrative contract costs under this section is limited to the funds available under s. 20.435 (1) (bm).

SECTION 847e. 49.45 (3) (k) of the statutes is created to read:

49.45 (3) (k) If a physician performs a surgical procedure that is within the scope of practice of a podiatrist, as defined in s. 448.01 (7), the allowable charge for the procedure may not exceed the charge the department determines is reasonable.

~~SECTION 847j. 49.45 (3) (L) of the statutes is created to read:~~

~~49.45 (3) (L) 1. In this paragraph:~~

~~a. "Health care institution" has the meaning provided in s. 150.001 (6).~~  
~~b. "Nursing pool" means any business providing temporary employment of medical personnel in health care institutions, including registered nurses, licensed practical nurses, trained practical nurses, nurse's aides or orderlies. "Nursing pool" does not include a person who provides only his or her own services on a temporary basis to health care institutions. "Nursing pool" does not include any home health agency, as defined in 42 USC 1395x (a).~~

Vetoed  
in Part

~~2. Each hospital that is certified as a provider shall, by April 1 of each year, report to the department the following information for the preceding year on forms the department prepares:~~

~~a. By occupation, the number of hours of nursing pool services used.~~  
~~b. By occupation, the amount of money spent for nursing pool services.~~  
~~c. For each occupation under subd. 2. a and b, the median hourly wage and fringe benefits paid to in-hospital staff.~~

SECTION 847m. 49.45 (6m) (a) of the statutes is amended to read:

49.45 (6m) (a) 1. Reimbursement for nursing home care made under s. 20.435 (1) (b) and (o) shall, except as provided in subd. 3, be determined according to a prospective reimbursement system established annually by the department and approved by the joint committee on finance and the governor. ~~The department, joint committee on finance and the governor. Any system or proposed system shall take into account and comply be consistent with applicable federal regulations.~~

2. The reimbursement system shall take effect after approval by the joint committee on finance and the governor. ~~After action by the joint committee on finance, the governor shall have 10 days, not including Sundays, to submit approval or disapproval in writing to the department and the joint committee on finance. If no action is communicated by the governor within 10 days, not including Sundays, the decision of the joint committee on finance shall take effect.~~

3. The reimbursement rate for nursing homes reimbursed under s. 20.435 (1) (b) and (o) may be suspended or modified by the joint committee on finance and the governor as may be necessary to conform to the requirements of federal Title XIX.

SECTION 848. 49.45 (6m) (c) 5 of the statutes is created to read:

49.45 (6m) (c) 5. Admit only patients assessed or who waive assessment under s. 46.27 (6) (a).

~~SECTION 848g. 49.45 (6m) (c) 6 of the statutes is created to read:~~  
~~49.45 (6m) (c) 6. Grant priority of admission to persons who have been determined by an assessment under s. 46.27 (6) (a) 4, in any county participating in the community options program, to have the greatest need for nursing home care.~~

Vetoed  
in Part

SECTION 848m. 49.45 (6m) (i) of the statutes is created to read:

49.45 (6m) (i) 1. On or after the effective date of this paragraph (1981) or October 1, 1981, whichever is later, medical assistance reimbursement for inpatient nursing care may only be provided for persons receiving skilled, intermediate or limited levels of nursing care as these levels are defined under Wis. Adm. Code chapter H32.

2. Reimbursement for lower levels of nursing care is available for a person in a facility certified under 42 USC 1396 to 1396K only if the person entered the facility before the date specified in subd. 1 and has continuously resided in the facility since the date specified in subd. 1, or if the person has a primary diagnosis of developmental disabilities or chronic mental illness.

SECTION 850m. 49.45 (8) of the statutes is amended to read:

49.45 (8) (title) HOME HEALTH AGENCY REIMBURSEMENT. Reimbursement under s. 20.435 (1) (b) and (o) for services of home health agencies certified as required under 42 USC 1396 to 1396k, in effect on April 30, 1980, by the department shall be based upon reasonable actual costs as up to a maximum rate determined by the department. ~~Personal care services performed by a home health agency may be reimbursed under a separate rate as determined by the department.~~

SECTION 852. 49.45 (14) (c) of the statutes is created to read:

49.45 (14) (c) Benefits or services ~~provided under s. 49.46 (2) (b)~~ for which recipient copayment is required under sub. (18), not to exceed maximum amounts allowable under 42 CFR 447.53 to 447.58.

Vetoed  
in Part

SECTION 853. 49.45 (18) of the statutes is created to read:

49.45 (18) COPAYMENT. Except for persons receiving care as an inpatient in a ~~hospital~~ ~~or~~ ~~in~~ ~~a~~ ~~skilled~~ ~~nursing~~ ~~home~~ ~~or~~ ~~intermediate~~ ~~care~~ ~~facility~~ and except for services provided through prepayment contracts, any person eligible for medical assistance under s. 49.46 or 49.47 shall pay up to the maximum amounts allowable under 42 CFR 447.53 to 447.58 for purchases of services provided under s. 49.46 (2) (a), as approved by the joint committee on finance, and for all services provided under s. 49.46 (2) (b) including transportation services provided through counties. The service provider shall collect the allowable copayment. The department shall reduce payments to each provider by the amount of the allowable copayment. The department shall seek a waiver of federal cost-sharing requirements that would prevent recipient copayments for medical services provided under s. 49.46 (2) (a).

Vetoed  
in Part

SECTION 854. 49.45 (19) of the statutes is created to read:

49.45 (19) ESTABLISHING PATERNITY AND ASSIGNING SUPPORT RIGHTS. (a) As a condition of eligibility for medical assistance, any person charged with the care and custody of a dependent child or children shall:

1. Fully cooperate in efforts directed at establishing the paternity of a child born out of wedlock and obtaining support payments or any other payments or property to which the person and the dependent child or children may have rights. This cooperation shall be in accordance with federal law and regulations applying to paternity establishment and collection of support payments.

2. Notwithstanding other provisions of the statutes, be deemed to have assigned to the state, by applying for or receiving medical assistance, any rights to medical support or other payment of medical expenses from any other person that the parent and the dependent child or children may have, including rights to unpaid amounts accrued at the time of application for medical assistance as well as any rights to support accruing during the time for which medical assistance is paid.

3. The county agency administering medical assistance shall notify applicants of the requirements of this subsection at the time of application.

(b) If a person charged with the care and custody of a dependent child or children does not comply with the requirements of this subsection, the person is ineligible for medical assistance. In this case, medical assistance payments shall continue to be made on behalf of the eligible child or children.

SECTION 854m. 49.46 (1) (a) 5 of the statutes is created to read:

49.46 (1) (a) 5. Any child in a subsidized adoption or foster care placement under ch. 48, as determined by the department.

SECTION 854r. 49.46 (1) (f) of the statutes is amended to read:

49.46 (1) (f) Any person who has conveyed, transferred or disposed of any property ~~within 2 years~~ prior to the date of making application for benefits under this section without receiving adequate and full consideration in money or money's worth shall, unless shown to the contrary, be presumed to have made the transfer, conveyance or disposition in contemplation of receiving benefits under this section and shall be ineligible to receive the benefits thereafter until the value of the property is expended by or on behalf of the person for his or her maintenance needs, including needs for medical care. The department shall promulgate rules for the administration of this paragraph. ~~This paragraph shall apply to the extent permitted under federal law and regulations.~~

SECTION 855. 49.46 (2) (a) of the statutes is repealed and recreated to read:

49.46 (2) (a) The department shall audit and pay allowable charges to certified providers for medical assistance on behalf of recipients for the following federally mandated benefits:

1. Physicians' services.
2. Early and periodic screening and diagnosis of persons under 21 years of age and all medically necessary treatment found by this screening and diagnosis.
3. Rural health clinic services.
4. The following medical services if prescribed by a physician:
  - a. Inpatient hospital services other than services in an institution for mental diseases.
  - b. Hospital outpatient services.
  - c. Skilled nursing home services other than in an institution for mental diseases.
  - d. Home health services, or nursing services if a home health agency is unavailable.
  - e. Laboratory and X-ray services.
  - f. Family planning services and supplies.
  - g. Nurse midwifery services.

SECTION 856. 49.46 (2) (b) of the statutes is created to read:

49.46 (2) (b) The department shall audit and pay allowable charges to certified providers for medical assistance on behalf of recipients for the following services:

1. Dentists' services.
2. Optometrists' or opticians' services.
3. Transportation to obtain medical care.
4. Chiropractors' services.
5. Eyeglasses.
6. The following services if prescribed by a physician:
  - a. Intermediate care facility services.
  - b. Physical and occupational therapy.
  - c. Speech, hearing and language disorder services.
  - d. Medical supplies and equipment.

e. Inpatient hospital, skilled nursing facility and intermediate care facility services for patients of any institution for mental diseases who are under 21 years of age, are under 22 years of age and who were receiving these services immediately prior to reaching age 21, or are 65 years of age or older.

f. ~~Outpatient psychotherapy and~~ medical day treatment services.

Vetoed  
in Part

g. Nursing services.

h. Legend drugs, as listed in the Wisconsin medical assistance drug index.

i. Insulin, antacids and analgesics.

7. Beginning January 1, 1982, inpatient psychiatric care, including alcohol and other drug abuse treatment services, for persons age 22 to 64, if the community mental health board created under s. 51.42 for the county in which the person resides authorizes payment. The board is liable for 10% of the customary charge for this service or ~~of~~ the medical assistance rate established under s. 49.45 (3) (e), whichever is less, if a hospital provides the care and if the board does not operate a special hospital under s. 51.42 (8) (g). The board is liable for 20% of the customary charge for this service or ~~of~~ the medical assistance rate established under s. 49.45 (3) (e), whichever is less, if a hospital provides the care and if the board operates a special hospital under s. 51.42 (8) (g). The board is liable for the state share of the amounts paid under the rates established by the department if an inpatient facility other than a hospital provides the care, limited to the care provided within the first month in which the person is admitted. In this subdivision, "hospital" has the meaning provided in s. 50.33 (1) (a), but does not include psychiatric or mental hospitals. Reimbursement for this service is limited to an episode of care occurring at least 90 days from the date of the last discharge.

Vetoed  
in Part

~~8. Podiatric services~~

Vetoed  
in Part

SECTION 857. 49.47 (4) (b) 2 of the statutes is amended to read:

49.47 (4) (b) 2. Household and personal possessions, including a motor vehicle registered under ch. 341 or 350. ~~Ownership of a~~ A 2nd vehicle may be permitted is exempt from consideration as an asset only if the department determines that it is necessary for the purpose of employment or to obtain medical care. The equity value of any nonexempt vehicles owned by the applicant is an asset for the purposes of determining eligibility for medical assistance under this section.

SECTION 858. 49.47 (4) (c) 3 of the statutes is created to read:

49.47 (4) (c) 3. No person is eligible for medical assistance under this section if the person's income exceeds the maximum income levels that the U.S. department of health and human services sets for federal financial participation under 42 USC 1396b (f).

SECTION 858m. 49.47 (4) (d) of the statutes is amended to read:

49.47 (4) (d) Any person who has conveyed, transferred or disposed of any property ~~within 2 years~~ prior to the date of making application for benefits under this section without receiving adequate and full consideration in money or money's worth shall, unless shown to the contrary, be presumed to have made such transfer, conveyance or disposition in contemplation of receiving benefits under this section and shall be ineligible to receive such benefits thereafter until the value of such property shall have been expended by or in behalf of such person for his or her maintenance need, including needs for medical care. ~~This paragraph shall apply to the extent permitted under federal law and regulations~~ The department shall promulgate rules for the administration of this paragraph.

SECTION 860. 49.47 (6) (a) of the statutes is amended to read:

49.47 (6) (a) The department shall audit and pay charges ~~made in accordance with s. 49.43 (1) to certified providers for medical assistance to on behalf of beneficiaries for those services enumerated under s. 49.46 (2) (a) and (b) 3, 6, a to d and i and 8 and for antibiotic, anticonvulsant, psychotropic and muscle relaxant legend drugs listed in the~~

Vetoed  
in Part

Wisconsin medical assistance drug index, but no payment shall include care for services rendered earlier than 3 months preceding the month of application.

Vetoed  
in Part

~~SECTION 861. 49.47 (7) of the statutes is repealed.~~

SECTION 862. 49.497 of the statutes is created to read:

**49.497 Recovering incorrect payments and assignment of assets.** (1) The department may recover any payment made incorrectly for benefits specified under s. 49.46 or 49.47 if the incorrect payment results from any misstatement or omission of fact by a person supplying information in an application for benefits under s. 49.46 or 49.47. The department may also recover if a medical assistance recipient or any other person responsible for giving information on the recipient's behalf fails to report the receipt of income or assets in an amount that would have affected the recipient's eligibility for benefits. The department's right of recovery is against any medical assistance recipient to whom or on whose behalf the incorrect payment was made. The extent of recovery is limited to the amount of the benefits incorrectly granted. The county agency administering aid to the recipient under s. 49.46 or 49.47 shall begin recovery actions on behalf of the department according to rules the department may adopt.

(2) Any medical assistance applicant may assign to the department available cash assets that exceed asset limitations for eligibility under s. 49.46 or 49.47, but no assignment may exceed the amount of benefits provided for the period during which medical assistance is granted.

(3) Cash assets of medical assistance recipients that exceed asset limitations shall be applied against the cost of medical assistance benefits provided.

SECTION 867. 49.50 (7) (d) 1 of the statutes is amended to read:

49.50 (7) (d) 1. If full-time employment paying a wage or salary equal to or greater than the federal minimum wage level is available to an unemployed AFDC-U parent registered in the WIN program, the parent may be required to accept the employment as a condition of continued participation in the program if he or she has been unemployed for 15 weeks or longer, if he or she has been a certified WIN registrant for 6 weeks or longer, and if the job he or she held for the longest period of time in the 12 months prior to registration in the WIN program paid a wage or salary which, when reduced by 18% of the gross wage or by taxes and other actual reasonable work-related expenses, was less than or equal to the family's current AFDC-U grant. AFDC-U recipients accepting employment under this paragraph shall remain enrolled in the AFDC-U program and shall receive a supplement from the appropriation under s. 20.435 (4) (d) in an amount designed to equal the level of payments the family would receive if the parent were not earning wages. This paragraph is effective until July 1, 1983.

SECTION 867m. 49.51 (2) (a) 12 (intro.) of the statutes is amended to read:

49.51 (2) (a) 12. (intro.) To Within the limits of available state and federal funds and of county funds appropriated to match state funds, to provide social services for:

SECTION 868. 49.51 (2) (a) 13 of the statutes is created to read:

49.51 (2) (a) 13. To administer the long-term support community options program, if the county board of supervisors designates the county department of social services or public welfare as the administrative agency.

SECTION 869. 49.51 (2) (a) 14 of the statutes is created to read:

49.51 (2) (a) 14. To collect and transmit information to the department so that a federal energy assistance payment may be made to an eligible household.

SECTION 869m. 49.51 (3) (c) of the statutes is amended to read:

49.51 (3) (c) County agencies shall submit to the department plans and contracts for care and services to be purchased in accordance with s. 46.031 (1). The contracts shall be developed under s. 46.036. The department shall review such contracts and approve them

if they are consistent with s. 46.036 and if state or federal funds are available for such purposes. The joint committee on finance may require the department to submit such contracts to the committee for review and approval. The department shall not make any payments to a county for programs included in a contract under review by the committee. ~~If the committee requires the submittal of the contracts, approval of the contracts shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).~~ The department shall reimburse each county for such approved contracts from the appropriations under s. 20.435 (2) (bb) and (o) or under s. 20.435 (2) (cd), as appropriate, according to s. 49.52.

SECTION 870. 49.51 (4) of the statutes is amended to read:

49.51 (4) (title) PROGRAM BUDGETS. The county agency shall submit annually a program plan and budget in accordance with ss. 46.031 and 46.032 for authorized services in the form and manner prescribed by the department. The approved plan and budget shall not exceed the available amount of funds.

SECTION 871. 49.52 (1) (a) of the statutes is amended to read:

49.52 (1) (a) The department shall reimburse each county for reasonable costs of income maintenance administration from s. 20.435 (4) (de) and (p) under a separate contract according to s. 46.032. The department shall reimburse each county from the appropriations under s. 20.435 (2) ~~(bb)~~ (b) and (4) (d) and (p) for 100% of the cost of aid to families with dependent children granted pursuant to s. 49.19, for social services as approved by the department under ss. 46.22 (4) (j) and (5m) (c) and 49.51 (2) (a), (3) (c) and (4), and for funeral expenses paid for recipients of aid under s. 49.30, except that no reimbursement may be made for the administration of or aid granted under ss. 49.02 and 49.03. ~~Funds received under this section may not be used to match state reimbursement for shelter care under ss. 48.22 and 48.58.~~

SECTION 872. 49.52 (1) (d) of the statutes is repealed and recreated to read:

49.52 (1) (d) Within the limits of the department's allocation for county social services under s. 20.435 (2) (b) and (o), each county social services department or public welfare department established under s. 46.22 or 49.51 (2) shall receive:

1. Prior to January 1, 1982, 50% of its 1979 contract level including the amount of state aid that was generated by a portion of county tax levy or federal revenue sharing funds under that contract. For the purposes of determining the grant-in-aid allocation for the period beginning July 1, 1981, and ending December 31, 1981, the 1979 grant-in-aid allocation or contract level does not include the amounts for uniform foster care rates, the phase down of direct services, day care funds or amounts for the educational component of day treatment. In addition, each county department shall receive:

a. Up to 7.5% of the 1979 contract level for expanded services. The department shall allocate these funds based equally on each county's percentage of the state's average monthly medical assistance population during the period of February 1978 to July 1978, each county's ranking on an urban-rural scale, which is to be determined based on the county's percentage of population living in cities, towns or villages with populations of 2,500 or more, and each county's ranking as determined by the ratio of the 1977 full value of all taxable property in the county, as defined in s. 70.57, to the county's 1977 population. Affected county departments are not required to match these amounts.

b. An amount which is equal to 50% of the 1979 level of funds allocated for uniform foster care rates, but not to exceed \$2,139,100.

c. An amount the department designates to compensate counties for case load increases resulting from the direct services phase down, but not to exceed \$800,000.

d. An amount the department designates for day care, but not to exceed \$2,500,000.

e. An amount the department designates for emergencies, but not to exceed \$150,000.

f. An amount the department designates for costs associated with the work incentive program under s. 49.50 (7), but not to exceed \$185,000.

g. An amount which is equal to 7.5% of its 1979 contract level, excluding the amounts for uniform foster care rates, phase down of direct services and day care funds, if matched by a portion of county tax levy or federal revenue sharing funds equal to 5% of the 1979 contract level. If matched at less than 5%, the state match will decrease proportionately.

h. An amount the department designates to pay the county's costs of operating a children's home under s. 48.58, but not to exceed \$650,000.

2. Beginning January 1, 1982, and ending December 31, 1982, a 1982 grant-in-aid equal to its 1981 grant-in-aid allocation, including the amount of state aid generated by a portion of county tax levy or federal revenue sharing funds under that contract, the 1981 allocation for uniform foster care rates and the 1981 allocation for the direct services phase down. For county departments to receive the 1982 grant-in-aid, the ratio of the 1982 grant-in-aid to county tax levy or federal revenue sharing funds, exclusive of county tax levy or revenue sharing funds to match state aid under subd. 2. d, shall be no more than 95 to 5. If county tax levy or revenue sharing funds are less than the amount required by the ratio, the decrease in the 1982 grant-in-aid equals the difference between the required and actual amount of county tax levy or federal revenue sharing funds. In addition, each county department shall receive:

a. An amount the department designates for day care, but not to exceed \$5,100,000.

b. An amount the department designates for emergencies, but not to exceed \$300,000.

c. An amount the department designates for costs associated with the work incentive program, but not to exceed \$370,000.

d. Up to 4% of the grant-in-aid allocation if matched by a portion of the county tax levy or federal revenue sharing funds equal to 3% of the 1981 grant-in-aid allocation. If matched at less than 3%, the state match decreases proportionately.

e. An amount the department designates to pay the county's costs of operating a children's home under s. 48.58, but not to exceed \$473,000.

Vetoed  
in Part  
~~f. Amounts the department allocates to county departments that received 15% of the 1979 contract level for expanded services under s. 49.52 (1) (d) 2. a, 1979 stats. The department shall allocate these funds based equally on each county's percentage of the state's average monthly medical assistance population during the period of February 1978 to July 1978, each county's ranking on an urban-rural scale, which is to be determined based on the county's percentage of population living in cities, towns or villages with populations of 2,500 or more and each county's ranking as determined by the ratio of the 1977 full value of all taxable property in the county, as defined in s. 70.57, to the county's 1977 population. The total allocation under this subparagraph may not exceed \$1,015,500.~~

3. Beginning January 1, 1983, and ending June 30, 1983, a grant-in-aid equal to 50% of its 1981 grant-in-aid allocation, including the amount of state aid generated by a portion of county tax levy or federal revenue sharing funds under that contract, the 1981 allocation for uniform foster care rates and the 1981 allocation for the direct services phase down. For county departments to receive this grant-in-aid, the ratio of this grant-in-aid to county tax levy or federal revenue sharing funds, exclusive of county tax levy or revenue sharing funds to match state aid under subd. 3. d, shall be no more than 95 to 5. If county tax levy or revenue sharing funds are less than the amount required by the ratio, the decrease in this grant-in-aid equals 2 times the difference between the required and actual amount of county tax levy or federal revenue sharing funds. In addition, each county department shall receive:

a. An amount the department designates for day care, but not to exceed \$2,700,000.

b. An amount the department designates for emergencies, but not to exceed \$150,000.

c. An amount the department designates for costs associated with the work incentive program, but not to exceed \$185,000.

d. Up to 4% of the 1981 grant-in-aid allocation if matched by a portion of county tax levy or federal revenue sharing funds equal to 2.5% of the 1981 grant-in-aid allocation. If matched at less than 2.5%, the state match decreases proportionately.

e. An amount the department designates to pay the county's costs of operating a children's home under s. 48.58, but not to exceed \$186,600.

~~f. Amounts the department allocates to county departments that received funds under subd. 2. f. The department shall allocate these funds based on the factors specified in subd. 2. f. The total allocation under this subparagraph may not exceed \$1,015,600.~~ Vetoed in Part

SECTION 873. 49.52 (1) (de) of the statutes is repealed.

SECTION 874. 49.52 (1) (dm) of the statutes is created to read:

49.52 (1) (dm) 1. Reimbursement under this paragraph is available only to:

a. Counties that were reimbursed by the department in fiscal year 1980-81 for the cost of operating shelter care facilities; and

b. Counties that contract for shelter care facility services with counties under subd. 1. a.

2. Beginning January 1, 1982, the department shall reimburse any county that incurs costs from operating shelter care facilities from the appropriation under s. 20.435 (2) (b) for an amount equal to the amount the department reimbursed the county for the cost of operating shelter care facilities in fiscal year 1980-81. The department shall reduce this reimbursement by a proportionate amount if part or all of the cost of operating the facilities is for services provided another county, and shall reimburse the other county an amount based on the proportion of the cost of the services received. ~~Funds received under this paragraph may only be used to provide shelter care.~~ Vetoed in Part

SECTION 875. 49.52 (1) (ds) of the statutes is created to read:

49.52 (1) (ds) Counties may recover the costs of operating shelter care facilities, incurred on or after January 1, 1982, from undesignated portions of the allocation under par. (d).

SECTION 876. 49.52 (1) (e) of the statutes is repealed.

SECTION 877. 49.52 (1) (f) 1 of the statutes is amended to read:

49.52 (1) (f) 1. If any grant-in-aid funds state matching funds allocated under par. (d) 2. d or 3. d to match county funds are not claimed, the funds shall be redistributed for the purposes the department designates.

SECTION 878. 49.52 (1) (h) of the statutes is amended to read:

49.52 (1) (h) Funds allocated under par. (d) but not spent by the end of each calendar year may not be reallocated to other counties except to counties experiencing overall program deficits due to unanticipated high cost variable services, as defined by the department. Grant-in-aid funds allocated to counties but not claimed, due to the ratio requirement under par. (d) 2 and 3, lapse in accordance with s. 20.435 (2) (b).

SECTION 879. 49.52 (2) (b) of the statutes is amended to read:

49.52 (2) (b) To facilitate prompt reimbursement the certificate of the department may be based on the certified statements of the county officers filed under par. (a). Funds recovered from audit adjustments ~~for any month of from~~ a prior fiscal year may be included in subsequent certifications only to pay counties owed funds as a result of an any audit adjustment. By June 30 of each year the department shall report to the presiding officer of each house of the legislature on funds recovered and paid out during the previous calendar year as a result of audit adjustments.

SECTION 880. 49.65 (1) of the statutes is amended to read:



49.65 (1) SUBROGATION. The department, county ~~or~~, municipality or elected tribal governing body providing any public assistance under this chapter as a result of an act that creates a claim or cause of action on the part of the public assistance recipient against a 3rd party, including an insurer, is subrogated to the rights of the recipient or the beneficiary and may make a claim or maintain an action in tort against the 3rd party.

SECTION 881. 49.65 (2) of the statutes is amended to read:

49.65 (2) ASSIGNMENT OF ACTIONS. The department, county ~~or~~, municipality or elected tribal governing body providing any public assistance authorized under this chapter, including medical assistance, as a result of the occurrence of injury, sickness or death which results in a possible recovery of indemnity from a 3rd party, including an insurer, may require an assignment from the applicant or recipient of such public assistance or legally appointed representative of the incompetent or deceased applicant or recipient giving it the right to make a claim against the 3rd party.

SECTION 882. 49.65 (6) of the statutes is amended to read:

49.65 (6) PRORATION OF THIRD PARTY RECOVERED FUNDS. The county agency or elected tribal governing body shall be entitled to retain from the total amount recovered an amount equal to one-tenth of the funds received. The remaining amount shall be deposited in the state treasury to the respective appropriation from which the assistance was paid and this amount shall be prorated between the federal government and the state government on the basis of the proportionate amount each contributed.

SECTION 883. 49.65 (7) of the statutes is created to read:

49.65 (7) WELFARE CLAIMS NOT PREJUDICED BY RECIPIENT'S RELEASE. (a) No person who has or may have a claim or cause of action in tort and who has received assistance under this chapter as a result of the occurrence that creates the claim or cause of action may release the liable party or the liable party's insurer from liability to the units of government specified in sub. (1). Any payment to a beneficiary or recipient of assistance under this chapter in consideration of a release from liability is evidence of the payer's liability to the unit of government that granted the assistance.

(b) Liability under par. (a) is to the extent of assistance payments under this chapter resulting from the occurrence creating the claim or cause of action, but not in excess of any insurance policy limits, counting payments made to the injured person. The unit of government administering assistance shall include in its claim any assistance paid to or on behalf of dependents of the injured person, to the extent that eligibility for assistance resulted from the occurrence creating the claim or cause of action.

SECTION 884. 49.66 (4) of the statutes is amended to read:

49.66 (4) The employed recipient of aid under s. 49.19 purchasing such insurance may include the premiums as a reasonable work-related expense. If aid is received under s. 49.46 or 49.47 where no money payments are made, the agency may purchase directly from the insurance provider or reimburse the recipient or person having custody of a minor recipient.

SECTION 884c. 50.02 (1) of the statutes is amended to read:

50.02 (1) DEPARTMENTAL AUTHORITY. The department shall have authority to provide uniform, statewide licensing, inspection and regulation of community-based residential facilities and nursing homes as provided in this subchapter. Nothing in this subchapter may be construed to limit the authority of the department of industry, labor and human relations or of municipalities to set standards of building safety and hygiene, but any local orders of municipalities shall be consistent with uniform, statewide regulation of community-based residential facilities. The department may not prohibit any nursing home from distributing over-the-counter drugs from bulk supply.

SECTION 884g. 50.03 (5m) (a) 5 of the statutes is repealed and recreated to read:

50.03 (5m) (a) 5. The facility is closing, intends to close or is changing its type or level of services or means of reimbursement accepted and will relocate at least 5 residents or 5% of the residents, whichever is greater.

SECTION 884r. 50.03 (14) of the statutes is repealed and recreated to read:

50.03 (14) CLOSING OF A FACILITY. If any facility acts as specified under sub. (5m) (a) 5:

(a) The department may provide, direct or arrange for relocation planning, placement and implementation services in order to minimize the trauma associated with the relocation of residents and to ensure the orderly relocation of residents.

(b) The agencies of the county in which the facility is located that are responsible for providing services under s. 46.22 (4) (g) 1, 49.51 (2) (a) 12. a, 51.42 (5) or 51.437 (4) shall participate in the development and implementation of individual relocation plans. Any agency of another county shall participate in the development and implementation of individual relocation plans in place of the agencies of the county in which the facility is located, if the agency accepts responsibility for the resident or is delegated responsibility for the resident by the department or by a court.

(c) The facility shall:

1. Provide at least 30 days' written notice prior to relocation to each resident who is to be relocated, to the resident's guardian, if any, and to a member of the resident's family, if practicable, unless the resident requests that notice to the family be withheld.

2. Attempt to resolve complaints from residents under this section.

3. Identify and, to the greatest extent practicable, attempt to secure an appropriate alternate placement for each resident to be relocated.

4. Consult the resident's physician on the proposed relocation's effect on the resident's health.

5. Hold a planning conference at which an individual relocation plan will be developed with the resident, with the resident's guardian, if any, and with a member of the resident's family, if practicable, unless the resident requests that a family member not be present.

6. Implement the individual relocation plan developed under subd. 5.

7. Notify the department of its intention to relocate residents. The notice shall state the facts requiring the proposed relocation of residents and the proposed date of closing or changing of the type or level of services or means of reimbursement.

8. At the time the facility notifies the department under subd. 7, submit to the department a preliminary plan that includes:

a. The proposed timetable for planning and implementation of relocations and the resources, policies and procedures that the facility will provide or arrange in order to plan and implement the relocations.

b. A list of the residents to be relocated and their current levels of care and a brief description of any special needs or conditions.

c. An indication of which residents have guardians and the names and addresses of the guardians.

d. A list of which residents have been protectively placed under ch. 55.

e. A list of the residents whom the facility believes to be incompetent.

(d) The department shall notify the facility within 10 days after receiving the preliminary plan under par. (c) 8, if it disapproves the plan. If the department does not notify the facility of disapproval, the plan is deemed approved. If the department disapproves the preliminary plan it shall, within 10 days of notifying the facility, begin working with the facility to modify the disapproved plan. No residents may be relocated until the department approves the preliminary plan or until a modified plan is agreed upon. If a

plan is not approved or agreed upon within 30 days of receipt of the notice of relocation, the department may impose a plan that the facility shall carry out. Failure to submit, gain approval for or implement a plan in a timely fashion is not a basis for a facility to declare an emergency under sub. (5m) (a) 6 or to relocate any resident under sub. (5m) (g).

(e) Upon approval of, agreement to or imposition of a plan for relocation, the facility shall establish a date of closing or changing of the type or level of services or means of reimbursement and shall notify the department of the date. The date may not be earlier than 90 days from the date of approval, agreement or imposition if 5 to 50 residents will be relocated, or 120 days from the date of approval, agreement or imposition if more than 50 residents will be relocated.

SECTION 885. 50.04 (2m) of the statutes is amended to read:

50.04 (2m) (title) PLAN OF CARE AND ASSESSMENT REQUIRED. No nursing home may admit any patient until a physician has completed a plan of care for the patient and the patient is assessed or the patient waives assessment under s. 46.27 (6) (a). Failure to comply with this subsection is a class "B" violation under sub. (4) (b) 2.

**Vetoed in Part** SECTION 886. ~~50.08 of the statutes is created to read:  
50.08 Waiting lists. Any nursing home with a waiting list for admissions shall grant priority of admission to persons who have been determined by an assessment under s. 46.27 (6) (a) 4, in any county participating in the community options program, to have the greatest need for nursing home care.~~

SECTION 887. 50.53 (1) of the statutes is amended to read:

50.53 (1) The annual fee for ~~all places coming under the definition of a hotel~~ shall be ~~\$20~~ \$35.50 for those having 30 or less sleeping rooms and ~~\$40~~ \$71.50 for those with more than 30 and less than 100 sleeping rooms and \$100 for those with 100 or more sleeping rooms.

SECTION 888. 50.53 (2) of the statutes is amended to read:

50.53 (2) The annual fee for ~~all places coming under the definition of a tourist rooming house~~ shall be ~~\$40~~ \$18.

SECTION 889. 50.53 (3) of the statutes is renumbered 50.53 (3) (a) and amended to read:

50.53 (3) (a) The annual fee for ~~all places coming under the definition of a restaurant~~ shall be ~~\$20~~ \$30 if anticipated gross annual food sales are less than \$5,000, and shall be ~~\$40~~ \$80 if anticipated gross annual food sales are \$5,000 or more.

SECTION 890. 50.53 (3) (b) of the statutes is created to read:

50.53 (3) (b) The annual fee for a temporary restaurant, as defined by the department by rule, is \$36.

SECTION 891. 50.53 (4) of the statutes is amended to read:

50.53 (4) The annual fee for a vending machine operator is ~~\$40~~ \$15. The annual fee for a vending machine commissary is ~~\$40~~ \$71.50. The annual fee for each vending machine is ~~\$4~~ \$5.

SECTION 892. 50.53 (5) of the statutes is amended to read:

50.53 (5) An additional penalty fee of ~~\$10~~ \$20 shall be required for each permit whenever the annual fee for renewal is not paid prior to expiration of the permit.

SECTION 893. 50.53 (7) (b) of the statutes is amended to read:

50.53 (7) (b) The preinspection fee for a restaurant, vending machine commissary or a hotel shall be ~~\$25~~ \$45.25.

SECTION 894. 50.53 (7) (c) of the statutes is amended to read:

50.53 (7) (c) The preinspection fee for a tourist rooming house shall be ~~\$40~~ \$18.

SECTION 895. 50.53 (8) of the statutes is created to read:

50.53 (8) A fee of \$5 is required to issue any duplicate permit, except that the fee for a duplicate vending machine operator's permit or vending machine permit is \$1.

SECTION 898. 51.06 (1) (d) of the statutes is repealed.

SECTION 899. 51.06 (2) of the statutes is amended to read:

51.06 (2) SCHOOL ACTIVITIES. Each center shall maintain a school department and shall have enrolled all those children 3 years of age or older who are eligible for schooling under state law. The school program shall be under the supervision of the department of public instruction and shall meet standards prescribed by that agency. If the welfare of the residents so requires, the department shall endeavor to make outside school facilities which are approved by the department of public instruction available for instructional purposes.

SECTION 920c. 51.20 (1) (ab) of the statutes is created to read:

51.20 (1) (ab) If the individual is an inmate of a prison, jail or other criminal detention facility, the fact that the individual receives food, shelter and other care in that facility may not limit the applicability of par. (a) to the individual. The food, shelter and other care does not constitute reasonable provision for the individual's protection available in the community.

SECTION 923. 51.42 (1) (b) of the statutes is amended to read:

51.42 (1) (b) *Responsibility of county government.* The county boards of supervisors have the primary responsibility for the well-being, treatment and care of the mentally ill, developmentally disabled, alcoholic and other drug dependent citizens residing within their respective counties and for ensuring that those individuals in need of such emergency services found within their respective counties receive immediate emergency services. County liability for care and services purchased through or provided by a board established under this section shall be based upon the client's county of residence except for emergency services for which liability shall be placed with the county in which the individual is found. For the purpose of establishing county liability, "emergency" services includes those services provided under the authority of s. 51.15, 51.45 (11) (b) and (12), 55.05 (4), 55.06 (11) (a) or 51.45 (11) (a) for not more than 72 hours. Nothing in this paragraph prevents recovery of liability under s. 46.10 or any other statute creating liability upon the individual receiving a service or any other designated responsible party, or prevents reimbursement by the department for the actual cost of all care and services from the appropriation under s. 20.435 (2) (d), as provided in s. 51.22 (3).

SECTION 924. 51.42 (5) (intro.) of the statutes is repealed and recreated to read:

51.42 (5) DUTIES OF BOARDS. (intro.) Within the limits of available state and federal funds and of county funds appropriated to match state funds, boards shall provide for the program needs of persons suffering from mental disabilities, including mental illness, mental retardation, alcoholism or drug abuse, by offering the following services:

SECTION 925. 51.42 (5) (a) and (b) of the statutes are amended to read:

51.42 (5) (a) Collaborative and cooperative services with public health and other groups for programs of prevention;

(b) Comprehensive diagnostic and evaluation services, including initial assessment as specified under ss. 343.30 (1q) (a) and 343.305 (9) (a);

SECTION 925a. 51.42 (5) (b) of the statutes, as affected by chapter ... (this act), laws of 1981, is amended to read:

51.42 (5) (b) Comprehensive diagnostic and evaluation services, including ~~initial~~ assessment as specified under ss. 343.30 (1q) ~~(a)~~ and 343.305 (9) ~~(a)~~.

SECTION 926. 51.42 (5) (c) of the statutes is amended to read:

51.42 (5) (c) Inpatient and outpatient care and treatment, residential facilities, partial hospitalization, ~~precare, aftercare,~~ emergency care, ~~rehabilitation and habilitation services,~~ and supportive transitional services;

SECTION 927. 51.42 (5) (d) of the statutes is renumbered 51.42 (5m) (b) and amended to read:

51.42 (5m) (b) Professional consultation;

SECTION 928. 51.42 (5) (e) of the statutes is renumbered 51.42 (5m) (c) and amended to read:

51.42 (5m) (c) Public informational and educational services;

SECTION 929. 51.42 (5) (f) of the statutes is amended to read:

51.42 (5) (f) Related research and staff in-service training;

SECTION 930. 51.42 (5) (g) of the statutes is repealed.

SECTION 930g. 51.42 (5) (h) 4 of the statutes is amended to read:

51.42 (5) (h) 4. Appoint a director of the program, subject to the approval of the county board or boards of supervisors, on the basis of recognized and demonstrated interest in and knowledge of the problems of mental health, mental retardation, alcoholism and drug addiction, with due regard to training, experience, executive and administrative ability, and general qualification and fitness for the performance of the duties of the director. The county board or boards of supervisors may delegate this authority to the board established under this section;

SECTION 930r. 51.42 (5) (h) 5 of the statutes is amended to read:

51.42 (5) (h) 5. Fix the salaries of personnel employed to administer the program, subject to the approval of the county board or boards of supervisors. The county board or boards of supervisors may delegate this authority to the board established under this section;

SECTION 931. 51.42 (5m) of the statutes is created to read:

51.42 (5m) **POWERS OF BOARDS.** Within the limits of state and county appropriations and maximum available funding from other sources, boards may provide for the program needs of persons suffering from mental disabilities, including but not limited to mental illness, mental retardation, alcoholism or drug abuse, by offering the following services:

(a) Precare, aftercare and rehabilitation and habilitation services.

SECTION 932. 51.42 (5s) of the statutes is created to read:

51.42 (5s) **EDUCATIONAL SERVICES.** The community board shall not furnish services and programs provided by the department of public instruction and local educational agencies.

SECTION 933. 51.42 (8) (a) of the statutes is amended to read:

51.42 (8) (a) The department shall fund, within the limits of ~~the appropriation under s. 20.435 (2) (b) and of the department's allocation for mental health services under s. 20.435 (2) (b) and (o)~~ and subject to this subsection, services for mental illness, developmental disability and alcoholism and drug abuse to meet standards of service quality and accessibility. The department's primary responsibility is to guarantee that boards established under either this section or s. 51.437, ~~or both,~~ receive a reasonably uniform minimum level of funding and its secondary responsibility is to fund programs which meet exceptional community needs or provide specialized or innovative services. Moneys appropriated under s. 20.435 (2) (b) and earmarked by the department for mental health services under s. 20.435 (2) (o) shall be allocated as a grant-in-aid by the department to

boards established under this section or s. 51.437, ~~or both~~, in the manner set forth in this subsection.

SECTION 934. 51.42 (8) (b) of the statutes is repealed and recreated to read:

51.42 (8) (b) Within the limits of the department's allocation for mental health services under s. 20.435 (2) (b) and (o) for services provided or purchased by boards created under this section or s. 51.437, each board established under this section or s. 51.437 shall receive:

1. Prior to January 1, 1982, 50% of its 1979 contract level including the amount of state aid that was generated by a portion of county tax levy or federal revenue sharing funds under that contract. For the purposes of determining the grant-in-aid allocation for the period beginning July 1, 1981, and ending December 31, 1981, the 1979 grant-in-aid allocation or contract level does not include capacity building amounts for the chronically mentally ill, the developmentally disabled or services provided under ss. 343.30 (1q) and 343.305 (9), or for expiring and declining federal grant pick-up. In addition, each board shall receive:

a. Up to 7.5% of the 1979 contract level for expanded services. The department shall allocate these funds based equally on each county's percentage of the state's average monthly medical assistance population during the period of February 1978 to July 1978, each county's ranking on an urban-rural scale, which is to be determined based on the county's percentage of population living in cities, towns or villages with populations of 2,500 or more, and each county's ranking as determined by the ratio of the 1979 full value of all taxable property in the county, as defined in s. 70.57, to the county's 1977 population. Affected boards are not required to match these amounts.

b. An amount equal to 50% of the 1980 level of capacity building funds for community support programs for the chronically mentally ill, but not to exceed \$1,648,350.

c. An amount equal to 50% of the 1980 level of capacity building funds for community support programs for the developmentally disabled, but not to exceed \$2,011,258.

d. An amount the department designates for expiring and declining federal grant pick-up, but not to exceed \$486,531.

e. An amount the department designates for services provided under ss. 343.30 (1q) and 343.305 (9), but not to exceed \$105,000.

f. An amount the department designates for emergencies, but not to exceed \$150,000.

~~g. An amount the department designates for capacity building funds for community support programs for the chronically mentally ill and the developmentally disabled, but not to exceed \$1,710,300.~~ Vetoed in Part

h. An amount the department designates for respite care projects, but not to exceed \$163,400.

i. An amount which is equal to 7.5% of its 1979 contract level, excluding capacity building funds, expiring and declining federal grant pick-up funds, moneys for services provided under ss. 343.30 (1q) and 343.305 (9), emergency funds and community support programs, if matched by a portion of county tax levy or federal revenue sharing funds equal to 5% of the 1979 contract level. If matched at less than 5%, the state match decreases proportionately.

2. Beginning January 1, 1982, and ending December 31, 1982, a 1982 grant-in-aid equal to its 1981 grant-in-aid allocation, including the amount of state aid generated by a portion of county tax levy or federal revenue sharing funds under that contract, the 1980 capacity building allocation for community support programs for the chronically mentally ill and the developmentally disabled and the 1981 allocation for services provided under ss. 343.30 (1q) and 343.305 (9). The state aid generated by the 1980 capacity building allocation for community support programs for the chronically mentally ill and the developmentally disabled shall be expended for community support programs for the

chronically mentally ill and the developmentally disabled. For boards to receive the 1982 grant-in-aid, the ratio of the 1982 grant-in-aid to county tax levy or federal revenue sharing funds, exclusive of county tax levy or revenue sharing funds to match state aid under subd. 2. e, shall be no more than 95 to 5. If county tax levy or revenue sharing funds are less than the amount required by the ratio, the decrease in the 1982 grant-in-aid equals the difference between the required and actual amount of county tax levy or federal revenue sharing funds. In addition, each board shall receive:

**Vetoed in Part** a. An amount the department designates for capacity building funds for community support programs for the chronically mentally ill and the developmentally disabled, but not to exceed \$3,493,900. If a board received a 1980 allocation of capacity building funds for community support programs for the chronically mentally ill or the developmentally disabled, up to 3% of that 1980 amount allocated from the 1982 capacity building funds shall be matched by an equal portion of county tax levy or federal revenue sharing funds. If matched at less than 3%, the state match decreases proportionately.

b. An amount the department designates for emergencies, but not to exceed \$300,000.

c. An amount the department designates for expiring and declining federal grant pickup, but not to exceed \$486,500.

d. An amount the department designates for respite care projects, but not to exceed \$326,800.

e. Up to 4% of the 1981 grant-in-aid allocation, excluding the 1980 capacity building allocation for community support programs for the chronically mentally ill and the developmentally disabled, if matched by a portion of the county tax levy or federal revenue sharing funds equal to 3% of the 1981 grant-in-aid allocation. If matched at less than 3%, the state match decreases proportionately.

**Vetoed in Part** f. Amounts the department allocates to boards that received 15% of the 1979 contract level for expanded services under s. 51.42 (8) (b) 2. a, 1979 stats. The department shall allocate these funds based on the factors specified in s. 49.52 (1) (d) 2. f. The total allocation under this subparagraph may not exceed \$1,136,200.

3. Beginning January 1, 1983, and ending June 30, 1983, a grant-in-aid equal to 50% of its 1981 grant-in-aid allocation, including the amount of state aid generated by a portion of county tax levy or federal revenue sharing funds under that contract, the 1980 capacity building allocation for community support programs for the chronically mentally ill and the developmentally disabled and the 1981 allocation for services provided under ss. 343.30 (1q) and 343.305 (9). The state aid generated by 50% of the 1980 capacity building allocation for community support programs for the chronically mentally ill and the developmentally disabled shall be expended for community support programs for the chronically mentally ill and the developmentally disabled. For boards to receive the 1983 grant-in-aid, the ratio of the 1983 grant-in-aid to county tax levy or federal revenue sharing funds, exclusive of county tax levy or revenue sharing funds to match state aid under subd. 3. d, shall be no more than 95 to 5. If county tax levy or revenue sharing funds are less than the amount required by the ratio, the decrease in the 1983 grant-in-aid equals 2 times the difference between the required and actual amount of county tax levy or federal revenue sharing funds. In addition, each board shall receive:

**Vetoed in Part** a. An amount the department designates for capacity building funds for community support programs for the chronically mentally ill and the developmentally disabled, but not to exceed \$1,783,500. If a board received a 1980 allocation of capacity building funds for community support programs for the chronically mentally ill or the developmentally disabled, up to 3% of that 1980 amount allocated from the capacity building funds for January to June 1983, shall be matched by a portion of county tax levy or federal revenue sharing funds equal to 2.5% of the 1980 allocation. If matched at less than 2.5%, the state match decreases proportionately.

b. An amount the department designates for emergencies, but not to exceed \$150,000.

c. An amount the department designates for respite care projects, but not to exceed \$163,400.

d. Up to 4% of the 1981 grant-in-aid allocation, excluding the 1980 capacity building allocation for community support programs for the chronically mentally ill and the developmentally disabled, if matched by a portion of county tax levy or federal revenue sharing funds equal to 2.5% of the 1981 grant-in-aid. If matched at less than 2.5%, the state match decreases proportionately.

~~e. Amounts the department allocates to boards that received funds under subd. 2. f. The department shall allocate these funds based on the factors specified in s. 49.52 (1) (d) 2. f. The total allocation under this subparagraph may not exceed \$1,136,200.~~

Vetoed  
in Part

SECTION 935. 51.42 (8) (d) of the statutes is repealed and recreated to read:

51.42 (8) (d) The department may allocate up to \$150,000 per fiscal year for regional centers for the chronically mentally ill from the appropriations under s. 20.435 (2) (b) and (o), if the department develops a plan for allocating these funds that is approved by the joint committee on finance. These funds may be supplemented through reallocation of funds not expended or encumbered at the end of each calendar year from the appropriations under s. 20.435 (2) (b) and (o).

SECTION 936. 51.42 (8) (e) of the statutes is amended to read:

51.42 (8) (e) If any grant-in-aid state matching funds allocated under par. (b) 2. e or 3. d to match county funds are not claimed, such funds shall be redistributed for the purposes set forth in par. (d). Grant-in-aid funds the department designates. Funds allocated to boards under par. (b) and not spent by the end of each calendar year may not be allocated to other boards, except for boards implementing the pilot regional centers for the care of the chronically mentally ill or for boards experiencing overall program deficits due to unanticipated high cost variable services, as defined by the department. Grant-in-aid funds allocated to boards but not claimed, due to the ratio requirement under par. (b) 2 and 3, lapse in accordance with s. 20.435 (2) (b).

SECTION 936m. 51.42 (8) (h) of the statutes is amended to read:

51.42 (8) (h) Each board established under either this section or s. 51.437, or both, shall apply all funds it receives under pars. (a) to (d) to provide the services enumerated in ss. 51.42 (5), 51.437 (5) and 51.45 (2) (g) to meet the needs for service quality and accessibility of the persons in its jurisdiction, except that the board may pay for inpatient treatment only with funds designated by the department for this purpose. The board may expand programs and services with county funds not used to match state funds under this subsection at the discretion of the board subject to the approval of the county board or boards of supervisors and with other local or private funds subject to the approval of the department and the county board or boards of supervisors. The county board or boards of supervisors may delegate this authority to the board established under this section. The board shall report to the department all county funds allocated to the board and the use of such funds. Moneys collected under s. 46.10 shall be applied to cover the costs of primary services, exceptional and specialized services or to reimburse supplemental appropriations funded by counties. Boards shall include collections made on and after October 1, 1978, by the department that are subject to s. 46.10 (8m) (b) and (c) and are distributed to boards under s. 20.435 (2) (d), as revenues on their grant-in-aid expenditure reports to the department.

SECTION 937. 51.42 (8) (i) and (j) of the statutes are amended to read:

51.42 (8) (i) By September 30 of each year, each board shall submit for inclusion as part of the proposed county budget to the department an annual county executive or county administrator or, in those counties without an executive or administrator, directly to the county board of supervisors a program budget based on requirements of s. 46.031



(1) for the succeeding calendar year covering services, including active treatment community mental health center services, as prescribed by the department based on the plan required under sub. (7) (a). After approval by the county board or boards of supervisors the program budget shall be submitted to the department. If a combination of counties is administering a program, the program budget may not be submitted unless each county board of supervisors approves it. The county board or boards of supervisors may delegate this responsibility to the board established under this section. The cost of all services purchased by the board shall be developed based on the standards and requirements of s. 46.036.

(j) The department shall review each ~~such annual~~ program budget to ensure uniform costing of services. The department shall approve such budget unless it determines, after reasonable notice, that the budget includes proposed expenditures inconsistent with the purposes of this subsection. The joint committee on finance may require the department to submit contracts between boards established under this section or s. 51.437 and providers of service to the committee for review and approval. ~~If the committee requires the submittal of the contracts, approval of the contracts shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).~~

SECTION 938. 51.42 (8) (k) 4 of the statutes is amended to read:

51.42 (8) (k) 4. Is for inpatient treatment in excess of an average of ~~28~~ 21 days, excluding care for patients at the centers for the developmentally disabled.

SECTION 939. 51.42 (8) (L) of the statutes is amended to read:

51.42 (8) (L) If the department withholds a portion of the allocable appropriation, under par. (k), the board may submit an amendment to its ~~annual~~ program budget to rectify the deficiency found by the department. The department shall not provide state aid to any board for excessive inpatient treatment. For each board in each calendar year, sums expended for the ~~29th~~ 22nd and all subsequent average days of care shall be deemed excessive inpatient treatment. No inpatient treatment provided to children, adolescents, chronically mentally ill patients, patients requiring specialized care at a mental health institute, or patients at the centers for the developmentally disabled shall be deemed excessive. If a patient is discharged or released and then readmitted within 60 days after such discharge or release from an inpatient facility, the number of days of care following readmission shall be added to the number of days of care before discharge or release for the purpose of calculating the total length of such patient's stay in the inpatient facility.

SECTION 940. 51.42 (8m) of the statutes is amended to read:

51.42 (8m) AUDIT EXPENSES. Funds recovered from audit adjustments ~~for any month of from~~ a prior fiscal year may be included in subsequent certifications only to pay counties owed funds as a result of ~~an~~ any audit adjustment. By June 30 of each year the department shall report to the presiding officer of each house of the legislature on funds recovered and paid out during the previous calendar year as a result of audit adjustments.

SECTION 941. 51.42 (10) (b) of the statutes is amended to read:

51.42 (10) (b) Review and approve required ~~annual~~ program plans and budgets but shall not approve budgets for amounts in excess of available revenues.

SECTION 942. 51.42 (10) (g) of the statutes is repealed and recreated to read:

51.42 (10) (g) Ensure that boards that elect to provide special education programs to children aged 3 years and under comply with requirements established by the department of public instruction.

SECTION 943. 51.437 (1) of the statutes is amended to read:

51.437 (1) DEFINITION. In this section, "services" mean specialized services or special adaptations of generic services directed toward the prevention and alleviation of a developmental disability or toward the social, personal, physical or economic habilitation or rehabilitation of an individual with such a disability, and includes diagnosis, evaluation,

treatment, personal care, day care, domiciliary care, special living arrangements, training, ~~education, sheltered employment, recreation, counseling of the individual with a developmental disability and his or her family,~~ protective and other social and socio-legal services, ~~information and referral services,~~ follow-along services and transportation services necessary to assure delivery of services to individuals with developmental disabilities. Education, recreation, counseling of the individual with a developmental disability and his or her family and information and referral services are optional services that are not required under this section.

SECTION 944. 51.437 (7) (b) of the statutes is amended to read:

51.437 (7) (b) In counties having a population of less than 500,000, a county board of supervisors may designate the community board established under s. 51.42 as the community developmental disabilities board. The combined board shall plan for and establish a community developmental disabilities program as provided in sub. (9). The county board of supervisors may designate the combined board as the administrative agency of the long-term support community options program under s. 46.27.

SECTION 944m. 51.437 (9) (intro.) of the statutes is amended to read:

51.437 (9) DUTIES OF THE BOARD. (intro.) ~~The~~ Within the limits of available state and federal funds and of county funds appropriated to match state funds, the community developmental disabilities services board shall:

SECTION 944s. 51.437 (9) (a) of the statutes is amended to read:

51.437 (9) (a) Establish a community developmental disabilities services program, appoint the director of the program subject to the approval of the county board or boards of supervisors, establish salaries and personnel policies for the program subject to the approval of the county board or boards of supervisors and arrange and promote local financial support for the program. The county board or boards of supervisors may delegate this authority to the board established under this section. The first step in the establishment of a program shall be the preparation of a local plan which includes an inventory of all existing resources, identifies needed new resources and services and contains a plan for meeting the needs of developmentally disabled individuals based upon the services designated under sub. (1). The plan shall also include the establishment of long-range goals and intermediate-range plans, detailing priorities and estimated costs and providing for coordination of local services and continuity of care.

SECTION 945. 51.437 (12) (c) of the statutes is amended to read:

51.437 (12) (c) If a center for the developmentally disabled has provided a board established under this section with service, the department shall ~~regularly bill the board:~~

1. Regularly bill the board for services provided prior to January 1, 1982. If collections for care received by the department prior to January 1, 1982, exceed current billings, the difference shall be remitted to the board through the appropriation under s. 20.435 (2) ~~(kk)~~ (gk). If billings for the quarter ending December 31, 1981, exceed collections for care received by the department during the quarter ending December 31, 1981, collections for care provided prior to January 1, 1982, shall be remitted to the board through the appropriation under s. 20.435 (2) (gk), up to the level of the net amount billed the board for the quarter ending December 31, 1981. Under this section, collections on or after January 1, 1976, from medical assistance shall be the approved amounts listed by the patient on remittance advices from the medical assistance carrier, not including adjustments due to retroactive rate approval and less any refunds to the medical assistance program. For care provided on and after January 1, 1978, the department shall adjust collections from medical assistance to compensate for differences between specific rate scales for care charged to the board and the average daily medical assistance reimbursement rate. Payment shall be due from the board within 60 days of the billing date subject to provisions of the contract. If any payment has not been received within 60 days, the

department shall deduct all or part of the amount due from any payment due from the department to the board.

SECTION 946. 51.437 (12) (c) 2 and 3 of the statutes are created to read:

51.437 (12) (c) 2. a. Bill the board for services provided on or after January 1, 1982, to persons ineligible for medical assistance benefits and who lack other means of full payment, using the procedure established under subd. 1.

b. Bill the board for services provided on or after January 1, 1982, at 10% of the rate paid by medical assistance, excluding any retroactive rate adjustment, if an independent professional review established under 42 USC 1396a (a) (31) designates the person appropriate for community care. The department shall use money it receives from the board to offset the state's share of medical assistance. Payment is due from the board within 60 days of the billing date, subject to provisions of the contract. If the department does not receive any payment within 60 days, it shall deduct all or part of the amount due from any payment the department is required to make to the board. The department shall first use collections received under s. 46.10 as a result of care at a center for the developmentally disabled to reduce the costs paid by medical assistance, and shall remit the remainder to the board up to the portion billed. The department shall use the appropriation under s. 20.435 (2) (gk) to remit collection credits and other appropriate refunds to boards.

c. Regularly provide the board with a list of persons who are eligible for medical assistance benefits and who are receiving care in a center for the developmentally disabled.

3. Establish by rule a process for appealing determinations of the independent professional review that result in billings under subd. 2. b.

SECTION 947. 51.437 (12) (d) of the statutes is repealed.

SECTION 948. 51.437 (14) (b) of the statutes is amended to read:

51.437 (14) (b) Review and approve required annual program plans and budgets but shall not approve budgets for amounts in excess of available revenues.

SECTION 949. 51.437 (14) (g) of the statutes is repealed and recreated to read:

51.437 (14) (g) Ensure that boards that elect to provide special education programs to children aged 3 years and under comply with requirements established by the department of public instruction.

SECTION 950. 51.438 (1) of the statutes is amended to read:

51.438 (1) The department shall provide from the appropriation under s. 20.435 (2) (cc) pilot grants to nonprofit employment facilities selected by the department for employment of developmentally disabled persons.

SECTION 951. 51.438 (2) of the statutes is amended to read:

51.438 (2) The facilities selected under sub. (1) shall employ the developmentally disabled in manufacturing a marketable product or products or in providing a service for sale. All proceeds from gross sales shall be reinvested in the program under this section.

SECTION 952. 51.45 (3) (d) of the statutes is created to read:

51.45 (3) (d) Provide information and referral services as optional elements of the comprehensive program it develops under sub. (7).

SECTION 953. 51.45 (7) (b) 7 of the statutes is amended to read:

51.45 (7) (b) 7. Prevention, ~~intervention, information and referral~~ and intervention services.

SECTION 955m. 51.61 (1) (intro.) of the statutes is amended to read:

51.61 (1) (intro.) In this section, "patient" means any individual who is receiving services for mental illness, developmental disabilities, alcoholism or drug dependency, including any individual who is admitted to a treatment facility in accordance with this chapter or ch. 55 or who is detained, committed or placed under this chapter or ch. 55, 971

or 975, or who is transferred to a treatment facility under s. 51.35 (3) or 51.37 or who is receiving care or treatment for such conditions through the department or a board established under s. 51.42 or 51.437 or in a private treatment facility. “Patient” does not include persons committed under ch. 975 who are transferred to or residing in any state prison listed under s. 53.01. In private hospitals and in public general hospitals, “patient” includes any individual who is admitted for the primary purpose of treatment of mental illness, developmental disability, alcoholism or drug abuse but does not include an individual who receives treatment in a hospital emergency room nor an individual who receives treatment on an outpatient basis at such hospitals, unless the individual is otherwise covered under this subsection. Except as provided in sub. (2), each patient shall:

SECTION 956. 51.61 (1) (b) of the statutes is amended to read:

51.61 (1) (b) 1. Have the right to refuse to perform labor which is of financial benefit to the facility in which the patient is receiving treatment or service. Privileges or release from the facility may not be conditioned upon the performance of any labor which is regulated by this paragraph. Patients may voluntarily engage in therapeutic labor which is of financial benefit to the facility if such labor is compensated in accordance with federal minimum wage and hour laws and regulations of the U.S. department of labor, for that type of labor whether or not such laws or rules are specifically applicable to the facility, and provided that: 1) the a plan approved by the department and if:

a. The specific labor is an integrated part of the patient’s treatment plan approved as a therapeutic activity by the professional staff member responsible for supervising the patient’s treatment; 2) the

b. The labor is supervised by a staff member who is qualified to oversee the therapeutic aspects of the activity; 3) the

c. The patient has given his or her written informed consent to engage in such labor and has been informed that such consent may be withdrawn at any time; and 4) the

d. The labor involved is evaluated for its appropriateness by the staff of the facility at least once every 120 days.

2. Patients may also voluntarily engage in noncompensated therapeutic labor which is of financial benefit to the facility, if the conditions for engaging in compensated labor under this paragraph are met and provided that: 1) the if:

a. The facility has attempted to provide compensated labor as a first alternative and all resources for providing compensated labor have been exhausted; 2) uncompensated

b. Uncompensated therapeutic labor does not cause layoffs of staff hired by the facility to otherwise perform such labor; and 3) the

c. The patient is not required in any way to perform such labor. Tasks of a personal housekeeping nature are not to be considered compensable labor.

3. Payment to a patient performing labor under this section shall not be applied to costs of treatment without the informed, written consent of such patient. This paragraph does not apply to individuals serving a criminal sentence who are transferred from a state correctional institution under s. 51.37 (5) to a treatment facility.

SECTION 959. 51.61 (1) (i) of the statutes is amended to read:

51.61 (1) (i) Have a right to be free from physical restraint and isolation except for emergency situations or when isolation or restraint is a part of a treatment program. Isolation or restraint may be used only when less restrictive measures are ineffective or not feasible and shall be used for the shortest time possible. When a patient is placed in isolation or restraint, his or her status shall be reviewed once every 30 minutes. Each facility shall have a written policy covering the use of restraint or isolation which ensures that the dignity of the individual is protected, that the safety of the individual is ensured and that there is regular, frequent monitoring by trained staff to care for bodily needs as

may be required. Isolation or restraint may be used for emergency situations only when it is likely that the patient may physically harm himself or herself or others. The treatment director shall specifically designate physicians who are authorized to order isolation or restraint, and shall specifically designate licensed psychologists who are authorized to order isolation. In the instance where the treatment director is not a physician, the medical director shall make the designation. In the case of a center for the developmentally disabled, use shall be authorized by the director of the center. The authorization for emergency use of isolation or restraint shall be in writing, except that isolation or restraint may be authorized in emergencies for not more than an hour, after which time an appropriate order in writing shall be obtained from the physician or licensed psychologist designated by the director, in the case of isolation, or the physician so designated in the case of restraint. Emergency isolation or restraint may not be continued for more than 24 hours without a new written order. Isolation may be used as part of a treatment program if it is part of a written treatment plan and the rights specified in this subsection are provided to the patient. The use of isolation as a part of a treatment plan shall be explained to the patient and to his or her guardian, if any, by the person who undertakes such treatment. Such treatment plan shall be evaluated at least once every 2 weeks. Persons who are committed or transferred under s. 51.35 (3) or 51.37 or under ch. 971 or 975 and who, while under this status, are transferred to a hospital, as defined in s. 50.33 (1), for medical care may be isolated for security reasons within locked facilities in the hospital.

SECTION 967. 52.055 (2m) of the statutes is amended to read:

52.055 (2m) Upon a showing of need to the court, the court shall order a hearing. At the hearing, the court may make an order directing the ~~father~~ parent to assign such salary, benefits under chs. 102 and 108 or wages due ~~him~~ or to be due ~~him~~ the parent in the future ~~from his employer or successor employers~~ to the clerk of court where the judgment in any action affecting the family, as designated in s. 767.02, was granted, as will be sufficient to pay the allowances, as adjudged by the court, for the support, maintenance and education of the minor children of the parties. The assignment shall be binding upon the ~~employer and successor employers~~ party from whom the parent receives salary, benefits or wages one week after service upon ~~the employer~~ it of a true copy of the assignment signed by the ~~employe~~ parent and annexed to a copy of the order, by personal service or by registered or certified mail until further order of the court. For each payment the ~~employer~~ party from whom the parent receives salary, benefits or wages shall receive \$1 which ~~the employer~~ it shall deduct from the money to be paid the ~~employe~~ parent. Section 241.09 shall not apply to assignments under this section. ~~The~~ An employer may not use the assignment as a basis for the discharge of an employe or for any disciplinary action against the employe. Compliance by ~~an employer~~ the party from whom the parent receives salary, benefits or wages with the order operates as a discharge of ~~the employer's~~ its liability to the ~~employe~~ parent as to that portion of the ~~employe's~~ parent's salary, benefits or wages so affected.

SECTION 968. 53.01 of the statutes is amended to read:

**53.01 Names of prisons.** The penitentiary at Waupun is named "Waupun Correctional Institution". The correctional treatment center at Waupun is named "Dodge Correctional Institution". The penitentiary at Green Bay is named "Green Bay Correctional Institution". The medium security penitentiary near Fox Lake is named "Fox Lake Correctional Institution". The penitentiary at Taycheedah is named "Taycheedah Correctional Institution". The medium security penitentiary at Plymouth is named "Kettle Moraine Correctional Institution". The resource facility at Oshkosh is named "Wisconsin Resource Center". The minimum security penitentiary at Oregon is named "Oakhill Correctional Institution". The institutions named in this section, the Wisconsin correctional camp system, the correctional institutions authorized under s. 46.05, and community correctional residential centers when established under s. 46.045, are state prisons.

SECTION 968m. 53.02 (3t) of the statutes is created to read:

53.02 (3t) MINNESOTA INSTITUTIONS. For all purposes of discipline and for judicial proceedings, each Minnesota institution authorized for use under s. 46.051 and the precincts thereof shall be deemed to be in a county in which the institution is physically located, and the courts of that county shall have jurisdiction of any activity, wherever located, conducted by such Minnesota institution.

~~SECTION 968r. 53.02 (4b) of the statutes is amended to read:~~

~~53.02 (4b) WISCONSIN SUBSTANCE ABUSE PROGRAM. For all purposes of discipline and for judicial proceedings, the correctional treatment resource facilities for the treatment care of substance abuse of inmates with substance abuse problems transferred from state prisons and the precincts thereof shall be deemed, as to each resident, to be in the county in which the facility to which the resident is assigned is located, and the courts of that county shall have jurisdiction of all crimes committed within the same. Every activity conducted under the jurisdiction of and by a correctional treatment resource facility wherever located is, as to each resident, a precinct of the facility; and each precinct is a part of the facility.~~

~~SECTION 969g. 53.05 (intro.) of the statutes is amended to read:~~

~~53.05 Wisconsin substance abuse program. (intro.) A section of the mental health institutes may be designated a correctional treatment resource facility for the treatment care of substance abuse of inmates with substance abuse problems transferred from Wisconsin state prisons. This section shall be administered by the department and shall be known as the Wisconsin substance abuse program. The department shall ensure that the residents at the institution and the residents in the substance abuse program.~~

~~SECTION 969h. 53.05 (3) of the statutes is amended to read:~~

~~53.05 (3) Transfer to a correctional treatment resource facility for the treatment of substance abuse shall be considered a transfer under s. 53.18 53.055.~~

SECTION 969i. 53.055 of the statutes is created to read:

**53.055 Transfer of inmates to resource center.** The department may transfer an inmate from a prison, jail or other criminal detention facility to the Wisconsin resource center if there is reason to believe that the inmate is in need of individualized care. The inmate is entitled to a transfer hearing by the department on the transfer to the Wisconsin resource center. Inmates who are admitted for involuntary treatment of mental illness, developmental disabilities, alcoholism or other drug abuse must be admitted under s. 51.37 (5).

~~SECTION 969m. 53.11 (7) of the statutes is amended to read:~~

~~53.11 (7) (a) An inmate or parolee having served the term for which he or she has been sentenced for a crime committed after May 27, 1951, less good time earned under this chapter and not forfeited as provided in this section, shall be released on parole or continued on parole, subject to all provisions of law and department regulations relating to paroled prisoners, until the expiration of the maximum term for which he or she was sentenced without deduction of such good time, or until discharged from parole by the department, whichever is sooner. If the parolee is on parole for 24 consecutive months and parole revocation or extension proceedings have not been initiated against him or her during that time period, the department shall discharge him or her from parole. If the department seeks to extend parole beyond the 24-month period, the department shall petition the sentencing court for a parole extension hearing. The hearing shall be held within 10 days after the petition is filed, unless a delay is requested by the parolee. At the hearing, the department must show that the parole extension is essential for the rehabilitation of the offender and the protection of society. If the department makes the required showing, the court may extend the period of parole, but not beyond the maximum term for which the parolee was sentenced. If the department does not make the required showing, the parole extension shall not be granted. An inmate or parolee shall be given credit~~

for time served prior to sentencing under s. 973.155, including good time under s. 973.155 (4).

~~(b) Any person on parole under this subsection may be returned to prison as provided in s. 57.06 (3) to serve the remainder of a sentence. The remainder of the sentence is the amount by which the original sentence was reduced by good time, except that the person shall be given credit for time spent on parole under the original sentence. The credit for time spent on parole shall be for the time period prior to any violation of the conditions of parole which is the basis for revocation of parole. The person may earn good time on the balance of the sentence while so in prison, subject to forfeiture thereof for misconduct as provided in this section. Subject to the approval of the department, the person may again be released on parole thereafter under either this section or s. 57.06, whichever is applicable. The remainder of the sentence shall be deemed to be the amount by which the original sentence was reduced by good time.~~

SECTION 969mg. 53.18 (1m) of the statutes is created to read:

53.18 (1m) Inmates transferred to the Wisconsin resource center shall be afforded a transfer hearing under s. 53.055.

SECTION 969mm. 53.18 (3) of the statutes is created to read:

53.18 (3) A prisoner may request the department to transfer him or her to a prison in another state under s. 53.25.

SECTION 969n. 53.25 of the statutes is created to read:

**53.25 Interstate corrections compact.** The following compact, by and between the state of Wisconsin and any other state which has or shall hereafter ratify or legally join in the same, is ratified and approved:

INTERSTATE CORRECTIONS COMPACT

Article I

Purpose and Policy

The party states, desiring by common action to fully utilize and improve their institutional facilities and provide adequate programs for the confinement, treatment and rehabilitation of various types of offenders, declare that it is the policy of each of the party states to provide such facilities and programs on a basis of cooperation with one another, thereby serving the best interests of such offenders and of society and effecting economies in capital expenditures and operational costs. The purpose of this compact is to provide for the mutual development and execution of such programs of cooperation for the confinement, treatment and rehabilitation of offenders with the most economical use of human and material resources.

Article II

Definitions

As used in this compact, unless the context clearly requires otherwise:

- (1) "State" means a state of the United States, the United States of America, a territory or possession of the United States, the District of Columbia, the commonwealth of Puerto Rico;
- (2) "Sending state" means a state party to this compact in which conviction or court commitment was had;
- (3) "Receiving state" means a state party to this compact to which an inmate is sent for confinement other than a state in which conviction or court commitment was had;
- (4) "Inmate" means a male or female offender who is committed, under sentence to or confined in a penal or correctional institution;
- (5) "Institution" means any penal or correctional facility, including but not limited to a facility for the mentally ill or mentally defective, in which inmates as defined in (4) above may lawfully be confined.

Article III  
Contracts

(a) Each party state may make one or more contracts with any one or more of the other party states for the confinement of inmates on behalf of a sending state in institutions situated within receiving states. Any such contract shall provide for:

(1) Its duration;

(2) Payments to be made to the receiving state by the sending state for inmate maintenance, extraordinary medical and dental expenses, and any participation in or receipt by inmates of rehabilitative or correctional services, facilities, programs or treatment not reasonably included as part of normal maintenance;

(3) Participation in programs of inmate employment, if any; the disposition or crediting of any payments received by inmates on account thereof; and the crediting of proceeds from or disposal of any products resulting therefrom;

(4) Delivery and retaking of inmates;

(5) Such other matters as may be necessary and appropriate to fix the obligations, responsibilities and rights of the sending and receiving states.

(b) The terms and provisions of this compact shall be a part of any contract entered into by the authority of or pursuant thereto, and nothing in any such contract shall be inconsistent therewith.

Article IV  
Procedures and Rights

(a) Whenever the duly constituted authorities in a state party to this compact, and which has entered into a contract pursuant to article III, shall decide that confinement in, or transfer of an inmate to, an institution within the territory of another party state is necessary or desirable in order to provide adequate quarters and care or an appropriate program of rehabilitation or treatment, said officials may direct that the confinement be within an institution within the territory of said other party state, the receiving state to act in that regard solely as agent for the sending state.

(b) The appropriate officials of any state party to this compact shall have access, at all reasonable times, to any institution in which it has a contractual right to confine inmates for the purpose of inspecting the facilities thereof and visiting such of its inmates as may be confined in the institution.

(c) Inmates confined in an institution pursuant to the terms of this compact shall at all times be subject to the jurisdiction of the sending state and may at any time be removed therefrom for transfer to a prison or other institution within the sending state, for transfer to another institution in which the sending state may have a contractual or other right to confine inmates, for release on probation or parole, for discharge, or for any other purpose permitted by the laws of the sending state; provided, that the sending state shall continue to be obligated to such payments as may be required pursuant to the terms of any contract entered into under the terms of article III.

(d) Each receiving state shall provide regular reports to each sending state on the inmates of that sending state in institutions pursuant to this compact including a conduct record of each inmate and certify said record to the official designated by the sending state, in order that each inmate may have official review of his or her record in determining and altering the disposition of said inmate in accordance with the law which may obtain in the sending state and in order that the same may be a source of information for the sending state.

(e) All inmates who may be confined in an institution pursuant to the provisions of this compact shall be treated in a reasonable and humane manner and shall be treated equally with such similar inmates of the receiving state as may be confined in the same institution. The fact of confinement in a receiving state shall not deprive any inmate so confined of



any legal rights which said inmate would have had if confined in an appropriate institution of the sending state.

(f) Any hearing or hearings to which an inmate confined pursuant to this compact may be entitled by the laws of the sending state may be had before the appropriate authorities of the sending state, or of the receiving state if authorized by the sending state. The receiving state shall provide adequate facilities for such hearings as may be conducted by the appropriate officials of a sending state. In the event such hearing or hearings are had before officials of the receiving state, the governing law shall be that of the sending state and a record of the hearing or hearings as prescribed by the sending state shall be made. Said record together with any recommendations of the hearing officials shall be transmitted forthwith to the official or officials before whom the hearing would have been had if it had taken place in the sending state. In any and all proceedings had pursuant to the provisions of this subdivision, the officials of the receiving state shall act solely as agents of the sending state and no final determination shall be made in any matter except by the appropriate officials of the sending state.

(g) Any inmate confined pursuant to this compact shall be released within the territory of the sending state unless the inmate, and the sending and receiving states, shall agree upon release in some other place. The sending state shall bear the cost of such return to its territory.

(h) Any inmate confined pursuant to the terms of this compact shall have any and all rights to participate in and derive any benefits or incur or be relieved of any obligations or have such obligations modified or his status changed on account of any action or proceeding in which he could have participated if confined in any appropriate institution of the sending state located within such state.

(i) The parent, guardian, trustee, or other person or persons entitled under the laws of the sending state to act for, advise, or otherwise function with respect to any inmate shall not be deprived of or restricted in his exercise of any power in respect of any inmate confined pursuant to the terms of this compact.

#### Article V

#### Acts Not Reviewable in Receiving State; Extradition

(a) Any decision of the sending state in respect of any matter over which it retains jurisdiction pursuant to this compact shall be conclusive upon and not reviewable within the receiving state, but if at the time the sending state seeks to remove an inmate from an institution in the receiving state there is pending against the inmate within such state any criminal charge or if the inmate is formally accused of having committed within such state a criminal offense, the inmate shall not be returned without the consent of the receiving state until discharged from prosecution or other form of proceeding, imprisonment or detention for such offense. The duly accredited officers of the sending state shall be permitted to transport inmates pursuant to this compact through any and all states party to this compact without interference.

(b) An inmate who escapes from an institution in which he is confined pursuant to this compact shall be deemed a fugitive from the sending state and from the state in which the institution is situated. In the case of an escape to a jurisdiction other than the sending or receiving state, the responsibility for institution of extradition or rendition proceedings shall be that of the sending state, but nothing contained herein shall be construed to prevent or affect the activities of officers and agencies of any jurisdiction directed toward the apprehension and return of an escapee.

#### Article VI

#### Federal Aid

Any state party to this compact may accept federal aid for use in connection with any institution or program, the use of which is or may be affected by this compact or any contract pursuant hereto and any inmate in a receiving state pursuant to this compact

may participate in any such federally aided program or activity for which the sending and receiving states have made contractual provision; provided, that if such program or activity is not part of the customary correctional regimen the express consent of the appropriate official of the sending state shall be required therefor.

Article VII  
Entry into Force

This compact shall enter into force and become effective and binding upon the states so acting when it has been enacted into law by any 2 states. Thereafter, this compact shall enter into force and become effective and binding as to any other of said states upon similar action by such state.

Article VIII  
Withdrawal and Termination

This compact shall continue in force and remain binding upon a party state until it shall have enacted a statute repealing the same and providing for the sending of formal written notice of withdrawal from the compact to the appropriate officials of all other party states. An actual withdrawal shall not take effect until one year after the notices provided in said statute have been sent. Such withdrawal shall not relieve the withdrawing state from its obligations assumed hereunder prior to the effective date of withdrawal. Before the effective date of withdrawal, a withdrawing state shall remove to its territory, at its own expense, such inmates as it may have confined pursuant to the provisions of this compact.

Article IX  
Other Arrangements Unaffected

Nothing contained in this compact shall be construed to abrogate or impair any agreement or other arrangement which a party state may have with a nonparty state for the confinement, rehabilitation or treatment of inmates nor to repeal any other laws of a party state authorizing the making of cooperative institutional arrangements.

Article X  
Construction and Severability

The provisions of this compact shall be liberally construed and shall be severable. If any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any participating state or of the United states or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating therein, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

SECTION 969p. 53.26 of the statutes is created to read:

**53.26 Corrections compact.** The secretary is responsible for performing all functions necessary or incidental to carrying out the requirements of the interstate corrections compact under s. 53.25. The secretary may delegate and redelegate any of the functions as provided in s. 15.02 (4). A contract involving the transfer of more than 10 prisoners to any one state in any fiscal year may be entered into under s. 53.25 only if the contract is approved by the legislature by law.

SECTION 969q. 53.31 of the statutes is amended to read:

**53.31 Use of jails.** The county jail may be used for the detention of persons charged with crime and committed for trial; for the detention of persons committed to secure their attendance as witnesses; to imprison persons committed pursuant to a sentence or held in custody by the sheriff for any cause authorized by law; for the detention of persons sentenced to imprisonment in state penal institutions or the Milwaukee county house of correction, until they are removed to said institutions; for the temporary detention of persons

in the custody of the department; and for other detentions authorized by law. The county jail may be used for the temporary placement of persons in the custody of the department.

Vetoed  
in Part

~~SECTION 969g. 53.33 of the statutes is renumbered 53.33 (1) and amended to read:~~

~~53.33 (1) The maintenance of persons who have been sentenced to the state penal institutions; persons in the custody of the department, except as provided in sub. (2); persons accused of crime and committed for trial; persons committed for the nonpayment of fines and expenses; and persons sentenced to imprisonment therein, while in the county jail, shall be paid out of the county treasury; but no No claim shall may be allowed to any sheriff for keeping or boarding any person in the county jail unless he the person was lawfully detained therein.~~

~~SECTION 969rs. 53.33 (2) of the statutes is created to read:~~

~~53.33 (2) The department is liable for persons in its custody pending disposition of parole and probation revocations following a felony conviction with sentence imposed or withheld and while so detained in any county jail or other county facility for any period of time after the first 60 days in custody. The department shall reimburse any county monthly at a rate of \$30 per person per day.~~

SECTION 981. 56.21 of the statutes is renumbered 56.21 (1).

SECTION 982. 56.21 (2) and (3) of the statutes are created to read:

56.21 (2) Section 102.29 applies to compensation paid under this section.

(3) This section does not apply if the inmate has made a recovery against an officer, employe or agent of the state, arising out of the same incident under s. 895.46. If recovery has already been made under this section at the time that a recovery is made under s. 895.46, the state is entitled to a credit in the amount of the recovery against any obligation it has under s. 895.46 arising out of the same incident.

~~SECTION 982i. 57.06 (3) of the statutes is amended to read:~~

~~57.06 (3) Every paroled prisoner remains in the legal custody of the department unless otherwise provided by the department. If the parolee is on parole for 24 consecutive months and parole revocation or extension proceedings have not been initiated against him or her during that time period, the department shall discharge him or her from parole. If the department seeks to extend parole beyond the 24-month period, the department shall petition the sentencing court for a parole extension hearing. The hearing shall be held within 10 days after the petition is filed, unless a delay is requested by the parolee. At the hearing, the department must show that the parole extension is essential for the rehabilitation of the offender and the protection of society. If the department makes the required showing, the court may extend the period of parole, but not beyond the maximum term for which the parolee was sentenced. If the department does not make the required showing, the parole extension shall not be granted. If the department alleges that any condition or rule of parole has been violated by the prisoner, the department may take physical custody of the prisoner for the investigation of the alleged violation. If the department is satisfied that any condition or rule of parole has been violated it shall afford the prisoner such administrative hearings as are required by law. The final administrative hearing shall be held before hearing examiners who are licensed to practice law in this state. The hearing examiners shall enter an order revoking or not revoking parole which order shall be, upon request by either party, reviewed by the secretary. If the examiner or the secretary upon review finds that the prisoner has violated the rules or conditions of parole, the examiner, or the secretary upon review, may order the prisoner returned to prison to continue serving his or her sentence, or to continue on parole, and in either case, may order that the prisoner forfeit good time as provided in s. 53.11 (2a). If the person is returned to prison to continue serving his or her sentence, the person shall be given credit for time spent on parole under the original sentence. The credit for time spent on parole shall be for the time period prior to any violation of the conditions of parole which is the~~

**VETOED**

basis for revocation of parole. If the prisoner claims or appears to be indigent, the department shall refer the prisoner to the authority for indigency determinations specified under s. 977.07 (1).

SECTION 982j. 57.072 (2) of the statutes is amended to read:

57.072 (2) The sentence of In addition to sub. (3), a revoked parolee resumes earning is eligible for sentence credit on the day a final revocation order is entered by the department, subject to sentence credit for the period of custody in a jail, correctional institution or any other detention facility pending revocation according to the terms of s. 973.155. The parolee does not receive sentence credit for time spent on parole after any violation of the conditions of parole which is the basis for the revocation of parole unless the person is in custody, or specified in s. 973.155.

SECTION 983. 59.07 (97) of the statutes is amended to read:

59.07 (97) (title) CHILD SUPPORT AND PATERNITY PROGRAM; MEDICAL SUPPORT LIABILITY PROGRAM. ~~The county board of each county shall designate by board resolution any office, officer, board, department or agency, as the county designee. The department of health and social services county board shall contract with the county board or its designee department of health and social services to implement and administer the child support and establishment of paternity program and the medical support liability programs provided for by Title IV of the federal social security act. The board may designate by board resolution any office, officer, board, department or agency as the county designee. The board or its designee shall implement and administer the child support and establishment of paternity program programs in accordance with the contract with the state department of health and social services. The district attorney, corporation counsel, family court commissioner, clerk of court and all other county officials shall cooperate with the county and the department as necessary to provide the services required under the program programs. The department shall ensure that such contracts are for amounts reasonable and necessary to assure quality of service. If a county refuses to name a local designee or fails to fully implement the program programs in accordance with department guidelines, the state may implement the program programs. The county shall charge the fee established by the department under s. 46.25 for services provided hereunder under this subsection to individuals persons not receiving assistance under s. 49.19 or 49.47.~~

SECTION 983m. 59.077 of the statutes is amended to read:

59.077 Defense of indigents. In each county, the county board may enact an ordinance for indigency determinations under s. 977.07 (1). ~~The county board may adopt a resolution altering its coverage in the state public defender program under s. 977.08 (5) (e) or (f).~~

SECTION 984m. 59.20 (5) (b) of the statutes is amended to read:

59.20 (5) (b) For all court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87 for the penalty assessment surcharge, the amounts required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by s. 346.655 for the driver improvement surcharge, the amounts required by s. 29.997 for the natural resources assessment surcharge and the amount required by s. 29.998 for natural resources restitution payments, transmit to the state treasurer a statement of all moneys required by law to be paid on the actions so entered during the preceding month on or before the first day of the next succeeding month, certified by personal affidavit endorsed upon or attached thereto, and at the same time pay to the state treasurer the amount thereof.

SECTION 985. 59.20 (8) of the statutes is amended to read:

59.20 (8) Retain 10% for fees in receiving and paying into the state treasury all moneys received by him for the state for fines and penalties, except that 50% of the state forfeitures, fines and penalties under chs. 341 to 347, 349 and 351 shall be retained as

fees, and retain such other fees for receiving and paying money into the state treasury as are prescribed by law.

SECTION 986. 59.20 (8m) of the statutes is created to read:

59.20 (8m) Forward 40% of the state forfeitures, fines and penalties under ch. 348 to the department of transportation for deposit in the transportation fund under s. 25.40 (1) (ig).

SECTION 987m. 59.395 (5) of the statutes is amended to read:

59.395 (5) Pay monthly to the county treasurer for the use of the state the state tax required to be paid on each civil action, cognovit judgment and special proceeding filed during the preceding month and pay monthly to the county treasurer for the use of the state the amount for court imposed fines and forfeitures required by law to be deposited in the state treasury, the amounts required by s. 165.87 (2) (b) for the penalty assessment surcharge, the amounts required by s. 973.055 for the domestic abuse assessment surcharge, the amounts required by s. 346.655 for the driver improvement surcharge, the amounts required under s. 29.997 (1) (d) for the natural resources assessment surcharge and the amounts required under s. 29.998 (1) (d) for the natural resources restitution payments. The payments shall be made by the 15th day of the month following receipt thereof.

SECTION 987s. 59.42 (2) (d) of the statutes is amended to read:

59.42 (2) (d) An additional fee of ~~\$12~~ \$31 shall be assessed against a party initiating an action affecting marriage. The clerk of court shall pay \$19 of this fee into the state treasury and the county shall retain the remaining \$12.

Vetoed  
in Part

~~SECTION 987t. 59.47 (2m) of the statutes is amended to read:  
59.47 (2m) Give advise to supervisors of soil and water conservation districts the county land conservation committee and represent them and the district it in all matters, proceedings and actions arising under ch. 92.~~

SECTION 988. 59.51 (2) of the statutes is amended to read:

59.51 (2) State upon the record of any instrument the number and denomination of all United States internal revenue stamps, if any, affixed thereto and shall also state upon the record the real estate transfer fee paid or, if the conveyance is not subject to a fee, the reason for the exemption, citing the relevant subsection of s. 77.25.

SECTION 988m. 59.51 (14s) of the statutes is created to read:

59.51 (14s) Notwithstanding this section, ss. 16.61 (3) (e), 19.21 (1) and (6) and 59.715 to 59.717, the county board may authorize the transfer of the custody of all records maintained by the register of deeds under s. 342.20 (4), 1979 stats., to the department of transportation.

SECTION 989. 59.57 (5m) of the statutes is repealed.

SECTION 989c. 59.76 of the statutes is renumbered 59.76 (1).

SECTION 989e. 59.76 (2) of the statutes is created to read:

59.76 (2) No action may be brought or maintained against a county, for disclosure of information received under s. 342.20 (3) and maintained under s. 342.20 (4).

Vetoed  
in Part

~~SECTION 989g. 59.872 of the statutes is repealed.  
SECTION 989r. 59.878 of the statutes is created to read:  
59.878 Land conservation. (1) Each board shall create a land conservation committee by June 1, 1982.  
(2) The board may appropriate funds for soil and water conservation and for other purposes relating to land conservation.~~

~~(3) The board may adopt ordinances under s. 92.11 regulating land conservation practices to promote soil and water conservation.~~ Vetoed  
in Part

SECTION 990a. 59.96 (11) of the statutes is created to read:

59.96 (11) AUDIT. (a) At least once every 3 years, the county board of supervisors shall contract for an outside audit of the metropolitan sewerage commission. The audit shall include program, fiscal, compliance, management and other elements, and shall be directed toward the following:

1. Examination of the procedures used by the metropolitan sewerage commission in planning and carrying out its responsibilities under this section and s. 59.964;
2. A general examination of the efficiency and effectiveness with which all programs are administered by the metropolitan sewerage commission;
3. A measurement of how effectively the goals and objectives of these programs are being met by the metropolitan sewerage commission, including a determination of whether the commission has considered alternatives which might yield the desired results at a lower cost; and
4. An examination of whether financial operations are properly conducted, whether the metropolitan sewerage commission's financial and accounting reports are fairly presented, and whether the commission has complied with applicable laws, rules and regulations of the state and federal governments governing the programs under its administration.

(b) The metropolitan sewerage commission shall pay the cost of the audit.

(c) The auditor shall consult with the county audit department during the performance of each audit in order to incorporate the findings of the county audit department into each audit report required under par. (a).

(d) Upon completion of each audit report, the auditor shall provide the county board of supervisors and the metropolitan sewerage commission with copies of the report.

SECTION 992. 60.175 (1) of the statutes is amended to read:

60.175 (1) Tax levies of towns in ~~1975~~ 1981, payable in ~~1976~~ 1982, and subsequent years for town purposes, shall not exceed the maximum allowable levy of calculated for the prior year by a greater percentage than the percentage of the increase, if any, of the equalized value of all general property assessed in the entire state in ~~1975~~ 1981 and in subsequent years over the equalized value of all general property assessed in the entire state in ~~1974~~ 1980 and in subsequent years, respectively, except as provided in subs. (2), (5), (8), (9) and (10) and except that levies for the payment of principal and interest on general obligation bonds and notes issued for an original term of more than one year shall not be affected by this section. In determining the levies to be limited by this section, an amount equal to principal and interest on general obligation bonds and notes issued for an original term of more than one year included in the prior year's levy shall be excluded from the prior year's levy. In determining levies of 1976 and in subsequent years there shall be an additional exclusion from the prior year's levy of all nonlevy receipts for the retirement of general obligation bonds and notes issued for an original term of more than one year. ~~After the 1977 levy, payable in 1978, and for subsequent years, "equalized value of all general property assessed in the entire state" shall not include property eligible for relief under s. 79.17.~~

SECTION 993. 60.175 (1m) of the statutes is amended to read:

60.175 (1m) If the amount of levy increase determined under sub. (1) is zero, the town may increase its levy by an amount equal to the levy increase it would have been certified if it had had a levy resulting from a tax rate of ~~.25~~ .75 of a mill.

SECTION 993m. 60.175 (5m) (g) of the statutes is created to read:

60.175 (5m) (g) The cost of any local bridge project for which the town is liable under s. 84.18.

SECTION 994. 60.175 (6) of the statutes is amended to read:

60.175 (6) If the town levies taxes in excess of the maximum allowed by this section without receiving approval of the electors under sub. (7), the excess amount, if it is more than \$100, shall be subtracted from subsequent distributions of shared ~~taxes revenue~~ under subch. 1 of ch. 79 until fully recovered, and the levy shall be reduced by the amount of ~~such the excess, regardless of the amount~~, in determining the maximum allowable levy for the ~~subsequent next~~ year.

~~SECTION 994m. 60.18 (22) of the statutes is amended to read:~~

~~60.18 (22) ASSISTING SOIL AND WATER CONSERVATION. To raise money to assist in the development of a soil and water conservation district including or benefiting all or a portion of such the town or in promoting the program of such a district, and to authorize the town board to expend said money for such these purposes or to pay all or part of said the money to such soil and water conservation district the county land conservation committee to be expended by it for such these purposes.~~

Vetoed  
in Part

SECTION 995. 60.306 (3) (a) of the statutes is amended to read:

60.306 (3) (a) On or before ~~October~~ November 1 of each year, the commission shall levy a tax upon all the taxable property in the district, apportioned ~~between~~ among the municipalities on the basis of equalized full value as determined by the department of revenue, ~~for the purpose of carrying to carry out the provisions and performing perform~~ the duties required under ss. 60.30 to 60.309. The amount of any such this tax in excess of that required for maintenance and operation and for principal and interest on bonds may not exceed, in any one year, one mill on each dollar of the equalized full value of all taxable property in the district. The commission shall certify in writing to the clerks of the several towns having territory in such the district, the total amount of tax levied against the taxable property in each such municipality lying in whole or in part within the district.

SECTION 996. 60.307 (5) of the statutes is amended to read:

60.307 (5) After the issue of ~~said the~~ bonds, the commission shall, on or before ~~the first day of October~~ November 1 in each year, certify in writing to the clerks of the ~~several~~ towns having territory in ~~such the~~ district, the total amount of ~~such the~~ tax to be raised by each ~~such~~ municipality, and upon receipt of ~~such the~~ certificate the clerk of each ~~such~~ town shall place the ~~same~~ certificate on the tax rolls, to be collected as other taxes are collected, and ~~such the~~ moneys, when collected, shall be paid to the treasurer of ~~such the~~ district.

SECTION 998. 61.21 of the statutes is amended to read:

**61.21 Clerk to notify officers-elect; oath of office.** Within 5 days after the election or appointment of any village officer the village clerk shall notify the person so selected thereof unless ~~he~~ the person voted at ~~such the~~ election, and every person elected or appointed to any office named in s. 61.19 shall within 5 days after ~~such~~ election or appointment or notice thereof, when so required to be given, take and file the official oath, except that elected assessors shall take and file the official oath within 5 days before June 1.

SECTION 1000. 61.46 (3) (a) of the statutes is amended to read:

61.46 (3) (a) Tax levies of villages in ~~1975~~ 1981, payable in ~~1976~~ 1982, and subsequent years, for village purposes, shall not exceed the maximum allowable levy of calculated for the prior year by a greater percentage than the percentage of the increase, if any, of the equalized value of all general property assessed in the entire state in 1975 1981 and in subsequent years over the equalized value of all general property assessed in the entire state in 1974 1980 and in subsequent years, respectively, except as provided in pars. (b),

(e), (h), (i) and (j) and except that levies for the payment of principal and interest on general obligation bonds and notes issued for an original term of more than one year shall not be affected by this subsection. In determining the levies to be limited by this subsection, an amount equal to principal and interest on general obligation bonds and notes issued for an original term of more than one year included in the prior year's levy shall be excluded from the prior year's levy. In determining levies of 1976 and in subsequent years there shall be an additional exclusion from the prior year's levy of all nonlevy receipts for the retirement of general obligation bonds and notes issued for an original term of more than one year. ~~After the 1977 levy, payable in 1978, and subsequent years, "equalized value of all general property assessed in the entire state" shall not include property eligible for relief under s. 79.17.~~

SECTION 1001. 61.46 (3) (am) of the statutes is amended to read:

61.46 (3) (am) If the amount of levy increase determined under par. (a) is zero, the village may increase its levy by an amount equal to the levy increase it would have been certified if it had had a levy resulting from a tax rate of ~~.25~~ .75 of a mill.

SECTION 1001m. 61.46 (3) (em) 8 of the statutes is created to read:

61.46 (3) (em) 8. The cost of any local bridge project for which the village is liable under s. 84.18.

SECTION 1002. 61.46 (3) (f) of the statutes is amended to read:

61.46 (3) (f) If the village levies taxes in excess of the maximum allowed by this subsection without receiving approval of the electors under par. (g), the excess amount, if it is more than \$100, shall be subtracted from subsequent distributions of shared ~~taxes~~ revenue under subch. I of ch. 79 until fully recovered, and the levy shall be reduced by the amount of ~~such the~~ the excess, regardless of the amount, in determining the maximum allowable levy for the ~~subsequent~~ next year.

SECTION 1003. 62.09 (4) (a) of the statutes is amended to read:

62.09 (4) (a) Every person elected or appointed to any office shall take and file the official oath within ~~ten~~ 10 days after notice of ~~his~~ election or appointment, ~~except that elected assessors shall take and file the official oath within 5 days before June 1.~~

SECTION 1004. 62.12 (4m) (a) of the statutes is amended to read:

62.12 (4m) (a) Tax levies of cities in ~~1975~~ 1981, payable in ~~1976~~ 1982, and in subsequent years, for city purposes, shall not exceed the maximum allowable ~~levy of~~ calculated for the prior year by a greater percentage than the percentage of the increase, if any, of the equalized value of all general property assessed in the entire state in ~~1975~~ 1981 and subsequent years over the equalized value of all general property assessed in the entire state in ~~1974~~ 1980 and subsequent years, respectively, except as provided in pars. (b), (e), (h), (i) and (j) and except that levies for the payment of principal and interest on general obligation bonds and notes issued for an original term of more than one year shall not be affected by this subsection. In determining the levies to be limited by this subsection, an amount equal to principal and interest on general obligation bonds and notes issued for an original term of more than one year included in the prior year's levy shall be excluded from the prior year's levy. In determining levies of 1976 and in subsequent years there shall be an additional exclusion from the prior year's levy of all nonlevy receipts for the retirement of general obligation bonds and notes issued for an original term of more than one year. ~~After the 1977 levy, payable in 1978, and for subsequent years "equalized value of all general property assessed in the entire state" shall not include property eligible for relief under s. 79.17.~~

SECTION 1005. 62.12 (4m) (am) of the statutes is amended to read:



62.12 (4m) (am) If the amount of levy increase determined under par. (a) is zero, the city may increase its levy by an amount equal to the levy increase it would have been certified if it had had a levy resulting from a tax rate of ~~.25~~ .75 of a mill.

SECTION 1005m. 62.12 (4m) (em) 8 of the statutes is created to read:

62.12 (4m) (em) 8. The cost of any local bridge project for which the city is liable under s. 84.18.

SECTION 1006. 62.12 (4m) (f) of the statutes is amended to read:

62.12 (4m) (f) If the city levies taxes in excess of the maximum allowed by this subsection without receiving approval of the electors under par. (g) the excess amount, if it is more than \$100, shall be subtracted from subsequent distributions of shared ~~taxes~~ taxes revenue under subch. I of ch. 79 until fully recovered, and the levy shall be reduced by the amount of ~~such~~ the excess, regardless of the amount, in determining the maximum allowable levy for the subsequent next year.

SECTION 1011. 65.07 (2) (a) of the statutes is amended to read:

65.07 (2) (a) Tax levies of the city in ~~1975~~ 1981, payable in ~~1976~~ 1982, and in subsequent years, for city purposes, shall not exceed the maximum allowable levy of calculated for the prior year by a greater percentage than the percentage of increase, if any, of the equalized value of all general property assessed in the entire state in ~~1975~~ 1981 and subsequent years over the equalized value of all general property assessed in the entire state in ~~1974~~ 1980 and in subsequent years, respectively, except as provided in pars. (b), (e), (h), (i) and (j) and except that levies for the payment of principal and interest on general obligation bonds and notes issued for an original term of more than one year shall not be affected by this subsection. In determining the levies to be limited by this subsection, an amount equal to principal and interest on general obligation bonds and notes issued for an original term of more than one year included in the prior year's levy shall be excluded from the prior year's levy. In determining levies of 1976 and in subsequent years there shall be an additional exclusion from the prior year's levy of all nonlevy receipts for the retirement of general obligation bonds and notes issued for an original term of more than one year. ~~After the 1977 levy, payable in 1978, and for subsequent years, "equalized value of all general property assessed in the entire state" shall not include property eligible for relief under s. 79.17.~~

SECTION 1011m. 65.07 (2) (em) 8 of the statutes is created to read:

65.07 (2) (em) 8. The cost of any local bridge project for which the city is liable under s. 84.18.

SECTION 1012. 65.07 (2) (f) of the statutes is amended to read:

65.07 (2) (f) If the city levies taxes in excess of the maximum allowed by this subsection without receiving approval of the electors under par. (g) the excess amount, if it is more than \$100, shall be subtracted from subsequent distributions of shared ~~taxes~~ taxes revenue under subch. I of ch. 79 until fully recovered, and the levy shall be reduced by the amount of ~~such~~ the excess, regardless of the amount, in determining the maximum allowable levy for the subsequent next year.

SECTION 1014m. 66.042 (3) to (6) of the statutes are amended to read:

66.042 (3) Except in 1st class cities and counties having a population of 500,000 or more, disbursements of the county, city, village, town or school district funds from demand deposits shall be by draft or order check and withdrawals from savings or time deposits by written transfer order. Written transfer orders may be executed only for the purpose of transferring deposits to an authorized deposit of the public depositor in the same or another authorized public depository. The transfer shall be made directly by the public depository from which the withdrawal is made. No draft or order check issued under this subsection may be released to the payee, nor is the draft or order check valid,

unless signed by the clerk and treasurer. No transfer order is valid unless signed by the clerk and the treasurer. Unless otherwise directed by ordinance or resolution adopted by the governing body, a certified copy of which shall be filed with each public depository concerned, the chairman of the county board, mayor, village president, town chairman or director or president of the school district, as the case may be, shall countersign all drafts or order checks and all transfer orders. The governing body may also by ordinance or resolution authorize additional signatures. In lieu of the personal signatures of the clerk and treasurer and such other signature as may be required, the facsimile signature adopted by the person and approved by the governing body concerned may be affixed to the draft, order check or transfer order. The use of a facsimile signature does not relieve any official from any liability to which the official is otherwise subject, including the unauthorized use of the facsimile signature. Any public depository shall be fully warranted and protected in making payment on any draft or order check or transferring pursuant to a transfer order bearing a facsimile signature affixed as provided by this subsection notwithstanding that the facsimile signature may have been placed thereon without the authority of the designated persons.

(4) Whenever any board, commission or committee of any county, city, village, town or school district is vested by statute with exclusive control and management of a fund, including the audit and approval of payments therefrom, independently of the governing body, such payments shall be made by drafts or order checks issued by the county, city, village, town or school clerk upon the filing with him or her of certified bills, vouchers or schedules signed by the proper officers of such board, commission or committee, giving the name of the claimant or payee, and the amount and nature of each payment.

(5) In cities of the 1st class, municipal disbursements of public moneys shall be by draft, order, check or order check. Checks or drafts shall be signed by the treasurer and countersigned by the comptroller. Orders shall be signed by the mayor and clerk and countersigned by the comptroller, as provided in the charter of such city. Disbursements of school moneys shall be as provided by s. 119.50.

(6) Withdrawal or disbursement of moneys deposited in a public depository as defined in s. 34.01 (2) by a treasurer as defined in s. 34.01 (7), other than the elected, appointed or acting official treasurer of a county, city, village, town or school district, shall be by endorsement, written order, draft or check signed by the person or persons designated by written authorization of the governing board as defined in s. 34.01 (4). Any such authorization shall conform to any specific statutory provision covering the disbursement of the funds. Any public depository shall be fully warranted and protected in making payment in accordance with the latest authorization on file therewith.

SECTION 1020m. 66.12 (1) (b) and (c) of the statutes are amended to read:

66.12 (1) (b) Local ordinances, except as provided in this paragraph or ss. 345.20 to 345.53, may contain a provision for stipulation of guilt or no contest of any or all violations under such ordinances, and may designate the manner in which the stipulation is to be made and fix the penalty to be paid. When a person charged with a violation for which stipulation of guilt or no contest is authorized makes a timely stipulation and pays the required penalty and pays the penalty assessment imposed by s. 165.87 to the designated official, the person need not appear in court and no witness fees or other additional costs may be taxed unless the local ordinance so provides. A court appearance is required for a violation of a local ordinance in conformity with s. 346.63 (1). The official receiving the penalties shall remit all moneys collected to the treasurer of the county, city, town or village in whose behalf the sum was paid within 20 days after its receipt by him or her; and in case of any failure in the payment, the treasurer may collect the payment of the officer by action, in the name of the office, and upon the official bond of the officer, with interest at the rate of 12% per year from the time when it should have been paid. In the case of the penalty assessment imposed by s. 165.87, the treasurer of the county, city, town or village shall remit to the state treasurer the sum required by law to be paid on the actions

so entered during the preceding month on or before the first day of the next succeeding month. The governing body of the county, city, town, village or other municipal subdivision shall by ordinance designate the official to receive the penalties and the terms under which the official shall qualify.

(c) In case of conviction the court shall enter judgment against the defendant for the costs of prosecution, and for the penalty or forfeiture, if any, and for the penalty assessment imposed by s. 165.87, if any, and for the driver improvement surcharge imposed by s. 346.655, if any, and that the defendant be imprisoned for such time, not exceeding 90 days, unless otherwise provided by the ordinance, resolution or bylaw, as the court deems fit unless the judgment is sooner paid. ~~Such~~ The judgment or the imposition of any penalty, including the penalty assessment imposed by s. 165.87 and the driver improvement surcharge imposed by s. 346.655, or costs may be suspended or deferred for not more than 30 days in the discretion of the court. Prisoners confined in the county jail or in some other penal or correctional institution for violation of a city or village ordinance, resolution or bylaw shall be kept at the expense of the city or village.

SECTION 1022. 66.30 (6) (c) 3 of the statutes is repealed.

SECTION 1023. 66.36 of the statutes is repealed.

SECTION 1023e. 66.431 (4) (k) of the statutes is created to read:

66.431 (4) (k) "Abandoned highway corridor" means land in a 1st class city designated by the department of transportation for use as part of an expressway or a freeway, which is no longer designated by the department for that purpose.

SECTION 1023f. 66.431 (5) (a) 4. c of the statutes is amended to read:

66.431 (5) (a) 4. c. To issue bonds from time to time in its discretion to finance its activities under this section, including, without limiting the generality thereof, the payment of principal and interest upon any advances for surveys and plans, and shall have power to issue refunding bonds for the payment or retirement of such bonds previously issued by it. Such bonds shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the authority derived from or held in connection with its undertaking and carrying out of projects under this section; provided that payment of such bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant or contribution from the federal government or other source, in aid of any projects or activities of the authority under this section, and by a mortgage of any such projects, or any part thereof, title to which is in the authority. Bonds issued under this ~~subsection~~ section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction of the state, city or of any public body other than the authority issuing the bonds, and shall not be subject to any other law or charter relating to the authorization, issuance or sale of bonds. Bonds issued under this section are declared to be issued for an essential public and governmental purpose and, together with interest thereon and income therefrom, shall be exempt from all taxes. Bonds issued under this ~~subsection~~ section shall be authorized by resolution of the authority and may be issued in one or more series and shall bear such date, be payable upon demand or mature at such time, bear interest at such rate, be in such denomination, be in such form either with or without coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place, and be subject to such terms of redemption (with or without premium), be secured in such manner, and have such other characteristics, as is provided by the resolution, trust indenture or mortgage issued pursuant thereto. ~~Such~~ Except as provided under sub. (5m) (a), such bonds may be sold at not less than par at public sale held after a class 2 notice, under ch. 985, published prior to such sale in a newspaper having general circulation in the city and in such other medium of publication as the authority determines or may be exchanged for other bonds on the basis of par. Such bonds may be sold to the federal government at private sale (without publication of

any notice) at not less than par, and, if less than all of the authorized principal amount of such bonds is sold to the federal government, the balance may be sold at private sale at not less than par at an interest cost to the authority of not to exceed the interest cost to the authority of the portion of the bonds sold to the federal government. In case any of the officials of the authority whose signatures appear on any bonds or coupons issued under this ~~subsection~~ section cease to be such officials before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such officials had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this ~~subsection~~ section shall be fully negotiable. In any suit, action or proceeding involving the validity or enforceability of any bond issued under this ~~subsection~~ section or the security therefor, any such bond reciting in substance that it has been issued by the authority in connection with a project or activity under this ~~subsection~~ section, shall be conclusively deemed to have been issued for such purpose and such project or activity shall be conclusively deemed to have been planned, located and carried out in accordance with this section.

SECTION 1023g. 66.431 (5m) of the statutes is created to read:

66.431 (5m) BONDS TO FINANCE MORTGAGE LOANS ON OWNER-OCCUPIED DWELLINGS. (a) Subject to par. (b), a redevelopment authority in a 1st class city may issue bonds to finance mortgage loans on owner-occupied dwellings located in an abandoned highway corridor. Bonds issued under this paragraph may be sold at a private sale at a price determined by the redevelopment authority. No bonds may be issued under this paragraph on or after July 1, 1984, except bonds issued to refund outstanding bonds.

(b) The redevelopment authority shall submit the resolution authorizing the issuance of bonds under par. (a) to the common council for review. If the common council disapproves the resolution within 45 days after its submission, no bonds may be issued under the authority of the resolution.

(c) The redevelopment authority may:

1. Issue mortgage loans for the rehabilitation, purchase or construction of any owner-occupied dwelling in an abandoned highway corridor in the city.
2. Issue loans to any lending institution within the city which agrees to make mortgage loans for the rehabilitation, purchase or construction of any owner-occupied dwelling in an abandoned highway corridor in the city.
3. Purchase loans agreed to be made under subd. 2.

SECTION 1023m. 66.46 (2) (bm) of the statutes is created to read:

66.46 (2) (bm) "Highway" has the meaning provided in s. 340.01 (22).

SECTION 1023p. 66.46 (2) (f) of the statutes is renumbered 66.46 (2) (f) 1, and 66.46 (2) (f) 1. (intro.) and a, as renumbered, are amended to read:

66.46 (2) (f) 1. (intro.) "Project costs" mean any expenditures made or estimated to be made or monetary obligations incurred or estimated to be incurred by the city which are listed in a project plan as costs of public works or improvements within a tax incremental district or, to the extent provided in subd. ~~1. k~~, without the district, plus any costs incidental thereto, diminished by any income, special assessments, or other revenues, including user fees or charges, other than tax increments, received or reasonably expected to be received by the city in connection with the implementation of the plan. For any tax incremental district for which a project plan is approved on or after the effective date of this act (1981), only a proportionate share of the costs permitted under this subdivision may be included as project costs. ~~These costs may be included as project costs to the extent that they solely benefit the tax incremental district. To the extent the costs benefit the municipality outside the tax incremental district, a proportionate share of the cost is not a project cost.~~ The project costs include, but are not limited to:

Vetoed  
in Part

a. Capital costs, including but not limited to, the actual costs of the construction of public works or improvements, new buildings, structures, and fixtures; the demolition, alteration, remodeling, repair or reconstruction of existing buildings, structures and fixtures other than the demolition of registered historical buildings and sites; the acquisition of equipment to service the district; and the clearing and grading of land.

SECTION 1023s. 66.46 (2) (f) 2 of the statutes is created to read:

66.46 (2) (f) 2. Notwithstanding subd. 1, none of the following may be included as project costs for any tax incremental district for which a project plan is approved on or after the effective date of this subdivision (1981):

a. The cost of constructing or expanding administrative buildings, police and fire buildings, libraries, community and recreational buildings and school buildings.

b. The cost of constructing or expanding any facility, if the city generally finances similar facilities only with utility user fees.

c. General government operating expenses, unrelated to the planning or development of a tax incremental district.

SECTION 1024. 66.46 (2) (j) of the statutes is amended to read:

66.46 (2) (j) "Tax incremental base" means the aggregate value, as equalized by the department of revenue, of all taxable property located within a tax incremental district on the date as of which such district is created, determined as provided in sub. (5) (b) except that the value of merchants' stock in trade, manufacturers' materials and finished products and livestock included in the tax incremental base shall be adjusted as provided in s. 70.57 (5). The base of districts created before October 1, 1980, shall exclude the value of property exempted under s. 70.111 (17).

SECTION 1024h. 66.46 (2) (k) of the statutes is amended to read:

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66.46 (2) (k) "Tax incremental district" means a contiguous geographic area within a city defined and created by resolution of the local legislative body, consisting solely of whole units of property as are assessed for general property tax purposes, other than railroad rights-of-way, rivers or highways. Railroad rights-of-way, rivers or highways may be included in a tax incremental district only if they are continuously bounded on either side, or on both sides, by whole units of property as are assessed for general property tax purposes which are in the tax incremental district. No tax incremental district may include farmland that has been devoted primarily to agricultural use, as defined in s. 91.01 (5), at any time during the 5-year period preceding creation of the tax incremental district.

SECTION 1024j. 66.46 (4) (a) of the statutes is amended to read:

66.46 (4) (a) Holding of a public hearing by the planning commission at which interested parties are afforded a reasonable opportunity to express their views on the proposed creation of a tax incremental district and the proposed boundaries thereof. Notice of such hearing shall be published as a class 2 notice, under ch. 985. Prior to such publication, a copy of the notice shall be sent by first class mail to the chief executive officer or administrator of all local governmental entities having the power to levy taxes on property located within the proposed district and to the school board of any school district which includes property located within the proposed district. For any county with no chief executive officer or administrator, this notice shall be sent to the county board chairperson.

SECTION 1024L. 66.46 (4) (c) of the statutes is renumbered 66.46 (4) (gm), and 66.46 (4) (gm) 1 and 4. a, as renumbered, are amended to read:

66.46 (4) (gm) 1. Describes the boundaries, which may, but need not, be the same as those recommended by the planning commission, of a tax incremental district with sufficient definiteness to identify with ordinary and reasonable certainty the territory included therein. In this connection, the local legislative body shall take care that the The boundaries shall include only those whole units of property as are assessed for general property

tax purposes. Property standing vacant for an entire 7-year period immediately preceding adoption of the resolution creating a tax incremental district may not comprise more than 25% of the area in the tax incremental district, unless the tax incremental district is suitable for industrial sites under subd. 4. a and the local legislative body implements an approved project plan to promote industrial development within the meaning of s. 66.52. In this subdivision, "vacant property" includes property where the fair market value or replacement cost value of structural improvements on the parcel is less than the fair market value of the land. In this subdivision, "vacant property" does not include property acquired by the local legislative body under ch. 32.

4. a. Not less than ~~25%~~ 50%, by area, of the real property within such district meets at least one of the following criteria: 1) is a "blighted area"; 2) is in need of "rehabilitation or conservation work" within the meaning of s. 66.435 (3); or 3) is suitable for "industrial sites" within the meaning of s. 66.52 and has been zoned for industrial use; and

SECTION 1024n. 66.46 (4) (c) and (gm) 4. bm and 5 of the statutes are created to read:

66.46 (4) (c) Identification of the specific property to be included under par. (gm) 4 as blighted or in need of rehabilitation or conservation work. Owners of the property identified shall be notified of the proposed finding and the date of the hearing to be held under par. (e) at least 15 days prior to the date of the hearing. In cities with a redevelopment authority under s. 66.431, the notification required under this paragraph may be provided with the notice required under s. 66.431 (6) (b) 3, if the notice is transmitted at least 15 days prior to the date of the hearing to be held under par. (e).

(gm) 4. bm. The project costs relate directly to eliminating blight, directly serve to rehabilitate or conserve the area or directly serve to promote industrial development, consistent with the purpose for which the tax incremental district is created under subd. 4. a; and

5. Confirms that any real property within the district that is found suitable for industrial sites and is zoned for industrial use under subd. 4. a will remain zoned for industrial use for the life of the tax incremental district.

SECTION 1024p. 66.46 (4) (e), (f), (g) and (h), (5) (d) and (6) (a) 2 and (c) of the statutes are amended to read:

66.46 (4) (e) Holding At least 30 days before adopting a resolution under par. (gm), holding of a public hearing by the planning commission at which interested parties are afforded a reasonable opportunity to express their views on the proposed project plan. The hearing may be held in conjunction with the hearing provided for in par. (a). Notice of the hearing shall be published as a class 2 notice, under ch. 985. The notice shall include a statement advising that a copy of the proposed project plan will be provided on request. Prior to such publication, a copy of the notice shall be sent by 1st class mail to the chief executive officer or administrator of all local governmental entities having the power to levy taxes on property within the district and to the school board of any school district which includes property located within the proposed district. For any county with no chief executive officer or administrator, this notice shall be sent to the county board chairperson.

(f) Adoption by the planning commission of a project plan for each tax incremental district and submission of the plan to the local legislative body. The plan shall include a statement listing the kind, number and location of all proposed public works or improvements within the district or, to the extent provided in sub. (2) (f) ~~1. k~~, outside the district, an economic feasibility study, a detailed list of estimated project costs, and a description of the methods of financing all estimated project costs and the time when the costs or monetary obligations related thereto are to be incurred. The plan shall also include a map showing existing uses and conditions of real property in the district; a map

showing proposed improvements and uses in the district; proposed changes of zoning ordinances; master plan, if any, map, building codes and city ordinances; a list of estimated nonproject costs; and a statement of the proposed method for the relocation of any persons to be displaced. The plan shall indicate how creation of the tax incremental district promotes the orderly development of the city. The city shall include in the plan an opinion of the city attorney or of an attorney retained by the city advising whether the plan is complete and complies with this section.

(g) Approval by the local legislative body of a project plan ~~within 6 months after the department of revenue certifies to the city clerk the tax incremental base of the district prior to or concurrent with the adoption of a resolution under par. (gm).~~ The approval shall be by resolution which contains findings that the plan is feasible and in conformity with the master plan, if any, of the city.

(h) The planning commission may at any time, by resolution, adopt an amendment to a project plan, which amendment shall be subject to approval by the local legislative body and approval of the amendment shall require the same findings as provided in par. (g). Adoption of an amendment to a project plan shall be preceded by a public hearing held by the plan commission at which interested parties shall be afforded a reasonable opportunity to express their views on the amendment. Notice of the hearing shall be published as a class 2 notice, under ch. 985. The notice shall include a statement of the purpose and cost of the amendment and shall advise that a copy of the amendment will be provided on request. Prior to such publication, a copy of the notice shall be sent by 1st class mail to the chief executive officer or administrator of all local governmental entities having the power to levy taxes on property within the district and to the school board of any school district which includes property located within the proposed district. For any county with no chief executive officer or administrator, this notice shall be sent to the county board chairperson.

Vetoed  
in Part

(5) (d) The department of revenue shall not certify the tax incremental base as provided in par. (b) until it determines that each of the procedures and documents required by sub. (4) (a) ~~to (e), (b), (gm) or (h)~~ has been timely completed and all notices required under sub. (4) (a) ~~to (e), (b), (gm) or (h)~~ timely given. The facts supporting any document adopted or action taken to comply with sub. (4) (a) ~~to (e), (b), (gm) or (h)~~ shall not be subject to review by the department of revenue under this paragraph. ~~The department of revenue may refuse to certify the tax incremental base unless it finds that the project plan approved under sub. (4) (g) is sufficiently detailed to compare actual expenditures with the plan during future audits.~~

(6) (a) 2. Fifteen years after the last expenditure identified in the plan is made. No expenditure may be ~~provided for in the plan more~~ made later than 5 years after the district is created, ~~except for project costs incurred under ch. 32, unless an amendment is adopted by the local legislative body under sub. (5) (c) except that for districts created on or before May 1, 1978, no expenditure may be provided for in the initial project plan more than 6 years after the creation of the district.~~ For tax incremental districts for which the resolution under sub. (4) (gm) is adopted on or after the effective date of this act (1981), no expenditure may be made before the date the project plan is approved, except for costs directly related to planning the tax incremental district. In the preceding sentence, "expenditure" means the exchange of money for the delivery of goods or services. For purposes of this subdivision, the date of creation of a tax incremental district for which a resolution was adopted by the local legislative body prior to the effective date of this act (1981) is the January 1 date set under sub. (4) (gm) 2 and the date of creation of any other tax incremental district is the date the local legislative body adopts the resolution under sub. (4) (gm).

(c) All tax increments received with respect to a tax incremental district shall, forthwith upon receipt by the city treasurer, be deposited into a special fund for such district. The city treasurer may deposit additional moneys into such fund pursuant to an appropriation by the local legislative body. Moneys shall be paid out of such fund only to pay project costs with respect to such district, to reimburse the city for such payments, or to satisfy claims of holders of ~~tax incremental~~ bonds or notes issued with respect to such district. Subject to any agreement with bondholders, moneys in such fund may be temporarily invested in the same manner as other city funds if any investment earnings are applied to reduce project costs. After all project costs and all ~~tax incremental~~ bonds and notes with respect to such district have been paid or the payment thereof provided for, subject to any agreement with bondholders, if there remain in such fund any moneys, they shall be paid over to the treasurer of each county, school district or other tax levying municipality or to the general fund of the city in such amounts as belong to each respectively, having due regard for what portion of such moneys, if any, represents tax increments not allocated to the city and what portion thereof, if any, represents voluntary deposits of the city into such fund.

SECTION 1024q. 66.46 (6m) of the statutes is created to read:

66.46 (6m) REVIEW. (a) The city shall cause the department of revenue under s. 73.10 or a certified public accountant to conduct audits of each tax incremental district to determine if all financial transactions are made in a legal and proper manner and to determine if the tax incremental district is complying with its project plan and with this section. Any city that creates a tax incremental district under this section and has an annual general audit may include the audits required under this subsection as part of the annual general audit.

(b) Audits shall be conducted no later than:

1. Twelve months after 30% of the project expenditures are made;
2. Twelve months after the end of the 5-year expenditure period under sub. (6) (a) 2; and
3. Twelve months after the termination of the tax incremental district under sub. (7).

(c) The city shall prepare and make available to the public updated annual reports describing the status of each existing tax incremental district, including expenditures and revenues.

SECTION 1024q. 66.999 of the statutes is created to read:

**66.999 Building commission approval of certain debt obligations.** On or after the effective date of this section (1981), the issuance of debt obligations under this chapter is subject to approval of the state building commission under s. 13.487 if the moneys raised are to be used to fund loans secured by mortgages on owner-occupied residences.

SECTION 1024q. 67.03 (8) of the statutes is created to read:

67.03 (8) On or after the effective date of this subsection (1981), the issuance of debt obligations under this chapter is subject to the approval of the state building commission under s. 13.487 if the moneys raised are to be used to fund loans secured by mortgages on owner-occupied residences.

SECTION 1024rj. 67.05 (5) (a) of the statutes is amended to read:

67.05 (5) (a) Whenever an initial resolution has been so adopted by the governing body of a town, the clerk of ~~such the~~ municipality shall immediately record the same and call a special election for the purpose of submitting the resolution to the electors of the municipality for approval. This paragraph does not apply to bonds issued to finance low-interest mortgage loans under s. 67.04 (5) (t), unless a number of electors equal to at least 15 % of the votes cast for governor at the last general election in their town sign and file a petition with the town clerk requesting submission of the resolution. The calling,



holding and conduct of ~~such~~ the special election, including the furnishing of printed ballots, the canvass of votes, and the declaration of the result, shall be governed by those statutes, so far as applicable, which govern special elections in general, including ss. 5.01 (2), 5.02 (21), 5.35 (3), 5.60 (7), 5.64 (2), 7.15 (2) (d), 8.06, 9.20 and 60.13. The notice of ~~such~~ the special election and the ballot used ~~thereat shall embody at the election shall include~~ a copy of the resolution, and the question submitted shall be whether the resolution shall or shall not be approved. The ballot may be a separate ballot, or may be printed upon the official ballot, when ~~such~~ the special election is held at the same time as a regular town, village or city election. This ~~subsection~~ paragraph is limited in its scope by sub. (7).

SECTION 1024rm. 67.05 (5) (b) of the statutes is amended to read:

67.05 (5) (b) No city or village ~~shall~~ may issue any bonds for any purposes other than for waterworks, lighting works, gas works, bridges, street lighting, street improvements, street improvement funding, hospitals, airports, harbor improvements, river improvements, breakwaters and protection piers, sewerage, garbage disposal, rubbish or refuse disposal, any combination of sewage, garbage or refuse or rubbish disposal, parks and public grounds, swimming pools and band shells thereon, veterans housing projects, street railway property, or paying the municipality's portion of the cost of abolishing grade crossings, for the construction of police facilities and combined fire and police safety buildings, for the purchase of sites for engine houses, for fire engines and other equipment of the fire department, for construction of engine houses, and for pumps, water mains, reservoirs and all other reasonable facilities for fire protection apparatus or equipment for fire protection, for parking lots or other parking facilities, for school purposes, for libraries, for buildings for the housing of machinery and equipment, for the purposes set forth in s. 67.04 (2) (zo) or (zq) or (4) (e), for providing financial assistance to blight elimination, slum clearance, community development, redevelopment and urban renewal programs and projects under ss. 66.405 to 66.425, 66.43, 66.431, 66.4325, 66.435 and 66.46, university of Wisconsin centers, or for refunding any of the bonds issued for any of ~~the aforesaid~~ these purposes, or for bonds issued to refund securities originally issued under s. 66.066, until the proposition for their issue for the special purpose thereof has been submitted to the electors of ~~such~~ the city or village and adopted by a majority ~~voting thereon~~. ~~Whenever~~ vote. If the common council of any city or the village board of any village declares its purpose to raise money by issuing bonds for any purpose other than those above specified, it shall direct by resolution, which shall be recorded at length in the record of its proceedings, the clerk to call a special election for the purpose of submitting the question of bonding to the city or village to the electors thereof. Such. The elections shall be noticed, conducted, canvassed and the result declared as provided in this subsection, except that the notice of such the special election and the ballot used thereat need not embody at the election need not include a copy of the resolution, but. The notice shall contain a statement of the purpose and the amount of the bonds proposed to be issued. If a number of electors of a city or village equal to at least 15% of the votes cast for governor at the last general election in their city or village sign and file a petition with the city or village clerk requesting submission of the resolution, the city or village may not issue bonds for the purposes specified in s. 67.04 (2) (zq) or (4) (e) without calling a special election to submit the question of bonding to the city or village electors for their approval.

~~SECTION 1030. 67.12 (8) of the statutes is amended to read:~~

Vetoed  
in Part

~~67.12 (8) TEMPORARY BORROWING BY SCHOOL BOARD. (a) The school board of any school district operating under the district system or unified school district plan may on its own motion, made and properly recorded at a lawful board meeting, borrow money in such sums as are needed to meet the immediate expenses of maintaining operating the public instruction in each school of the school district during the current school year.~~

~~(b) No such loan or loans except loans made by town boards to school districts shall under this subsection may be made to extend beyond November 1 of the following year nor to an amount exceeding one-half of the estimated receipts for of the operation and maintenance general fund of the school district for the current school year in which the loan is made, as certified by the state superintendent of public instruction and the local school district clerk. Such borrowing may be done any time after the tax for operation and maintenance the general fund of the school district for the current school year has been voted to be collected on the next tax roll and such estimated receipts have been so certified.~~

~~(c) All such loans under this subsection shall be evidenced by lawfully authorized and drawn school board orders, each order, when paid, to be receipted and returned to the school district treasurer of the board.~~

SECTION 1031. 67.12 (8a) (title) of the statutes is repealed.

SECTION 1032. 67.12 (8a) of the statutes is renumbered 67.12 (8) (d) and amended to read:

67.12 (8) (d) Whenever a school district shall have become becomes entitled to state aids, tuition revenues, or taxes levied, the district may pledge or assign all or portions of these revenues due but not yet paid as security for the repayment of loans required for operating purposes the general fund. Short term indebtedness secured by such assignment shall be construed as a paid or satisfied debt in reporting or computing the outstanding debt of the school district.

SECTION 1033. 67.12 (12) (a) of the statutes is amended to read:

67.12 (12) (a) In addition to the powers heretofore given, any:

1. Any county, city, village, town, school district, vocational, technical and adult education district or town sanitary district may borrow money for the acquisition of lands for public purposes, for permanent improvements of lands, for public work or improvement, and the enlargement or extension thereof, for the acquisition, development, remodeling, construction and equipment of land, buildings and facilities for regional projects, or for equipment or machinery of,

2. Any county, city, village, town, vocational, technical and adult education district or town sanitary district may borrow money for general and current municipal expenses, or to provide financial assistance to for blight elimination, slum clearance, community development, redevelopment and urban renewal programs and projects under ss. 66.405 to 66.425, 66.43, 66.431, 66.4325, 66.435 and 66.46; in the case of cities, villages and towns.

3. Any city, village or town may borrow money for the acquisition and development of industrial sites to the extent permitted by ss. 66.52 and 66.521; also and for the purpose of making improvements, additions, extensions or enlargements to an auditorium or to an arena operated in conjunction with or as a part of such auditorium provided for under s. 229.21; and in the case of counties.

4. Any county may borrow money for acquisition and transfer of real property to the state for new collegiate institutions or research facilities.

SECTION 1033m. 69.23 (4) of the statutes is amended to read:

69.23 (4) Nothing in this subchapter may be construed to permit disclosure of information contained in the "confidential information for medical and health use only" section of the birth certificate or in the "confidential information for statistical purposes only" section of the marriage document to any person other than to the subject of that information or his or her authorized guardian or to the parent if the subject is a minor, unless specifically authorized by the state registrar for statistical, research or public health purposes or unless ordered by a circuit judge or judge assigned to exercise jurisdiction under ch. 48.

SECTION 1033p. 69.49 of the statutes is amended to read:

**69.49 (title) Marriage documents.** Except as specifically provided otherwise in this subchapter, the forms, contents, execution, returns, delivery, transmission, filing and recording of marriage ~~certificates~~ documents shall be as provided in ch. 765.

SECTION 1037. 70.05 (title) and (1) of the statutes are amended to read:

**70.05 (title) Valuation of property; assessors in cities, towns and villages.** (1) The assessment of general property for taxation in all the towns, cities and villages of this state shall be made according to this chapter unless otherwise specifically provided. There shall be elected at the spring election one assessor for each taxation district not subject to assessment by a county assessor under s. 70.99 if election of the assessor is provided. Commencing with the 1977 elections and appointments made on and after January 1, 1977, no person may assume the office of town, village ~~or~~, city or county assessor unless certified by the department of revenue under s. 73.09 as qualified to perform the functions of the office of assessor. If a person who has not been so certified is elected to the office, the office shall be vacant and the appointing authority shall fill the vacancy from a list of persons so certified by the department of revenue.

SECTION 1038. 70.05 (4) of the statutes is amended to read:

70.05 (4) All assessment personnel, including personnel of a county assessor system under s. 70.99, appointed under this section on or after January 1, 1977, shall have passed an examination and have been certified by the department of revenue as qualified for performing the functions of the office.

SECTION 1038m. 70.05 (5) of the statutes is created to read:

70.05 (5) (a) In this subsection:

1. "Assessed value" means with respect to each taxation district the total values established under ss. 70.32 and 70.34, but excluding manufacturing property subject to assessment under s. 70.995.

2. "Full value" means with respect to each taxation district the total value of property as determined under s. 70.57 (1), but excluding manufacturing property subject to assessment under s. 70.995.

(b) Each taxation district shall assess property at full value at least once in every 5-year period.

(c) Annually beginning in 1982, the department of revenue shall determine the ratio of assessed value to full value of all taxable general property of each taxation district and publish its finding in the report required under s. 73.06 (5).

**Vetoed  
in Part** (d) Beginning in 1986, if the department of revenue determines that for the current year ~~or any one of the preceding 4 years~~ the assessed value of the taxation district, including 1st class cities, has not been established within 10% of the full value, the department shall order special supervision for the subsequent year's assessment under s. 70.75 (3). The department's order shall be in writing and mailed to the clerk of the taxation district on or before November 1 of the year of the determination.

SECTION 1039. 70.055 (2) of the statutes is renumbered 73.09 (7).

SECTION 1040. 70.055 (5) of the statutes is amended to read:

**70.055 (5) DEPARTMENT OF REVENUE COSTS.** All costs of the department of revenue in connection with assessment under this section shall be borne by the taxation district. These receipts shall be credited to the appropriation under s. 20.566 (2) (h). Past due accounts shall be certified on ~~October 1~~ or before the 4th Monday of August of each year and included in the next apportionment of state special charges to local units of government.

SECTION 1041. 70.075 (1) of the statutes is amended to read:

70.075 (1) In cities of the 2nd class the common council may by ordinance provide that objections to property tax assessments shall be processed through a board of assessors. In such cases, the city assessor shall publish a class 3 notice, under ch. 985, that on the days named in the notice, the assessments for the city will be open for examination by the taxable inhabitants of the city. On the 2nd Monday of July ~~May~~ the city assessor shall call together all of the members of the board of assessors as created in sub. (2) and they, together with the city assessors, shall constitute an assessment board.

SECTION 1042. 70.075 (6) of the statutes is amended to read:

70.075 (6) The board of assessors shall remain in session until all corrections and changes have been made, including all those resulting from investigations by committees of objections to valuations filed with the city assessor as provided in this section, after which the city assessor shall prepare the assessment rolls as corrected by the board of assessors and submit them to the board of review not later than the last Monday in ~~October~~ July. A person assessed who has been notified of the determination of the board of assessors as required in sub. (4) is deemed to have accepted such determination unless the person notifies the city assessor in writing, within 10 days, of a desire to present testimony before the board of review. After the board of review meets, the city assessor may appoint committees of the board of assessors to investigate any objections to the amount or valuation of any real or personal property which are referred to the city assessor by the board of review. The committees so appointed may at the city assessor's direction report their investigation and recommendations to the board of review and any member of any such committee shall be a competent witness in any hearing before the board of review.

SECTION 1043. 70.10 of the statutes is amended to read:

**70.10 Assessment, when made, exemption.** The assessor shall assess all real and personal property as of the close of January 1 of each year. Except in cities of the 1st class and 2nd class cities that have a board of assessors under s. 70.075, the assessment shall be finally completed before the first Monday in April. All real property conveyed by condemnation or in any other manner to the state, any county, city, village or town by gift, purchase, tax deed or power of eminent domain before January 2 in such year shall not be included in the assessment. Assessment of manufacturing property subject to s. 70.995 shall be made according to that section.

SECTION 1044. 70.11 (21) (c) of the statutes is amended to read:

70.11 (21) (c) A prerequisite to exemption under this subsection is the filing of an annual statement ~~in duplicate not later than February 1 on forms prescribed by the department of revenue with the supervisor of assessment of the department of revenue in whose district such pollution abatement plant and equipment is located not later than February 1, on forms prescribed by the department.~~

SECTION 1044m. 70.11 (29) of the statutes is created to read:

70.11 (29) **NONPROFIT RADIO STATIONS.** Property owned by a radio station that is exempt from taxation under section 501 of the internal revenue code as amended to December 31, 1980, if the property is used for the purposes for which the exemption was granted.

SECTION 1046. 70.111 (10), (12) and (16) of the statutes are repealed.

SECTION 1048. 70.112 (4) of the statutes is amended to read:

70.112 (4) **SPECIAL PROPERTY AND GROSS RECEIPTS TAXES OR LICENSE FEES.** All special property assessed under ~~ch. 76 ss. 76.01 to 76.26~~ and ~~such~~ property of any telephone company, car line company, and electric ~~co-operative~~ cooperative association as that is used and useful in the operation of the business of such company or association. If a general structure for which an exemption is sought under this section is used and useful in part in the operation of any public utility assessed under ss. 76.01 to 76.26 or of the business of any telephone company, car line company or electric cooperative association

and in part for nonoperating purposes of the public utility or company or association, that general structure shall be assessed for taxation under this chapter at the percentage of its full market value that fairly measures and represents the extent of its use for nonoperating purposes. Nothing herein provided in this subsection shall exclude any real estate or any property which is separately accounted for under s. 196.59 from special assessments for local improvements under s. 66.64, nor any property which is separately accounted for under s. 196.59.

Vetoed  
in Part

~~SECTION 1050. 70.114 of the statutes is repealed.~~

~~SECTION 1051. 70.116 of the statutes is repealed.~~

~~SECTION 1052. 70.117 of the statutes is repealed.~~

SECTION 1052d. 70.119 (3) (d) of the statutes is amended to read:

70.119 (3) (d) "Municipal services" means police and fire protection, garbage and trash disposal and collection not paid for under sub. (1) and, subject to approval by the committee acting under s. 13.101, any other direct general government service provided to state facilities by municipalities.

SECTION 1052f. 70.119 (4) of the statutes is amended to read:

70.119 (4) The department shall be responsible for negotiating with municipalities on payments for municipal services and may delegate certain responsibilities of negotiation to other state agencies. Prior to negotiating with municipalities the department shall submit guidelines for negotiation to the committee acting under s. 13.101 for approval.

SECTION 1052m. 70.119 (5) of the statutes is amended to read:

70.119 (5) Upon approval of guidelines by the committee acting under s. 13.101, the department shall proceed with negotiations. In no case may a municipality withhold services to the state during negotiations.

SECTION 1052p. 70.119 (6) of the statutes is amended to read:

70.119 (6) The department shall report the results of its negotiations to the committee acting under s. 13.101 at its December meeting and report the total payments to be made in the subsequent calendar year. Upon approval of the total payment by the committee acting under s. 13.101, the department may make payments to individual municipalities.

SECTION 1053. 70.16 of the statutes is repealed.

Vetoed  
in Part

~~SECTION 1054. 70.175 of the statutes is repealed.~~

SECTION 1054m. 70.18 (2) of the statutes is amended to read:

70.18 (2) Goods, wares and merchandise in storage in a commercial storage warehouse or on a public wharf, ~~except as provided in s. 70.111 (10) (a) and (b),~~ shall be assessed to the owner thereof and not to the warehouse or public wharf, if the operator of the warehouse or public wharf furnishes to the assessor the names and addresses of the owners of all goods, wares and merchandise not exempt from taxation.

SECTION 1055. 70.18 (3) of the statutes is repealed.

SECTION 1056. 70.30 (1) to (7) of the statutes are repealed.

SECTION 1057. 70.30 (8) of the statutes is amended to read:

70.30 (8) The value of logs, timber, lumber, ties, poles and posts, ~~not merchants' or manufacturers' stock.~~

SECTION 1059. 70.32 (2) (b) of the statutes is amended to read:

70.32 (2) (b) In towns, ~~he~~ the assessor shall segregate into the following classes on the basis of use and set down separately in proper columns the acreage and the value of the parts of land, exclusive of improvements, and the improvements which fall within each class:

A. Residential,

- B. Mercantile,
- C. Manufacturing,
- D. Agricultural,
- E. Swamp, or waste,
- F. 1. Productive forest land,
- F. 2. ~~Nonproductive forest land.~~

SECTION 1060. 70.32 (2) (c) of the statutes is amended to read:

70.32 (2) (c) For the purpose of this subsection "agricultural" includes any body of water on private premises which is used as a part of a private fish hatchery licensed under s. 29.52; "swamp or waste" means bog, marsh, lowland brush or other nonproductive lands not otherwise classified under this subsection; "productive forest land" means land which is producing or is capable of producing commercial forest products and is not otherwise classified under this subsection; ~~"nonproductive forest land" means land which because of soil or site conditions is not producing or is not capable of producing commercial forest products and which is not otherwise classified under this subsection.~~

~~SECTION 1060g. 70.337 (1) (a) and (b) (intro.) of the statutes are amended to read:~~

~~70.337 (1) (a) On or before January 1, 1983, and each 5th year annually thereafter, unless a 60-day extension is granted by the assessor upon application by the owner, each person who, under any statute, claims a real property tax exemption, except an exemption for highway rights-of-way, or makes a payment in lieu of taxes shall file with the assessor of the taxation district in which the property is located a report in duplicate, on forms prescribed and furnished by the department of revenue. The report shall contain the name and address of the owner of the property, the location or street address of the property and the legal description and parcel number as shown on the assessment roll, the nature of the person owning the property, the uses made of the property, the date of acquisition of the property, a description of any structures on the land comprising the property, the extent, if any, to which the property or any part was rented out, the value of the property used for purposes of insurance, the owner's estimate of the value of the property and improvements to it and the method used by the owner in arriving at that estimate.~~

~~(b) (intro.) In the interim 4-year period between reports required in par. (a), an exemption report shall be filed within 90 days of the occurrence of any of the following:~~

~~SECTION 1060m. 70.337 (1) (b) 4 of the statutes is created to read:~~

~~70.337 (1) (b) 4. Any change in ownership.~~

~~SECTION 1060r. 70.337 (1) (c) of the statutes is created to read:~~

~~70.337 (1) (c) If any person fails timely to file the report required under par. (a) in regard to any tax exempt property, the assessor of the taxation district shall arrange for an appraisal of the property, and the owner of the property shall pay for the appraisal.~~

SECTION 1061. 70.365 of the statutes is amended to read:

**70.365 Notice of higher assessment.** When the assessor places a valuation of any taxable real property which is \$100 or more higher than the valuation placed on it for the previous year, the assessor shall notify the person assessed if the address of the person is known to the assessor, otherwise the occupant of the property. The notice shall be in writing and shall be sent by ordinary mail at least 10 days before the meeting of the board of review or before the meeting of the board of assessors in 1st class cities and in 2nd class cities that have a board of assessors under s. 70.075 and shall contain the amount of the increased assessment and the date of the meeting of the local board of review or of the board of assessors. However, if the assessment roll is not complete, the notice shall be sent by ordinary mail at least 10 days prior to the date to which the board of review has

adjourned. The assessor shall attach to the assessment roll a statement that the notices required by this section have been mailed and failure to receive the notice shall not affect the validity of the increased assessment, the resulting increased tax on real property, the procedures of the board of review or of the board of assessors or the enforcement of delinquent taxes by statutory means. The secretary of revenue shall by rule prescribe the form of the notice required under this section. The form shall include information notifying the taxpayer of the procedures to be used to object to the assessment.

SECTION 1062. 70.45 of the statutes is amended to read:

**70.45 Return and examination of rolls.** When the assessment rolls have been completed in cities of the 1st class ~~the same, they~~ shall be delivered to the tax commissioner, ~~and in all other cities to the city clerk, who in villages to the village clerk and in towns to the town clerk.~~ These officials shall have published a class 1 notice if applicable, or posted notice, under ch. 985, in anticipation of the roll delivery as provided in s. 70.50, that on certain days, therein named, said the assessment rolls will be open for examination by the taxable inhabitants, which notice may assign a day or days certain for each ward, where there are separate assessment rolls for such wards, for the inspection of such rolls. On such examination the tax commissioner, assessor or assessors may make such changes as that are necessary to perfect the assessment roll or rolls, and after the corrections are made the said roll or rolls shall be submitted by the tax commissioner or city clerk of the municipality to the board of review.

SECTION 1063. 70.47 (7) (aa) of the statutes is amended to read:

70.47 (7) (aa) No person shall be allowed to appear before the board of review ~~nor or~~ to contest the amount of any assessment of real or personal property if ~~he shall have the person has~~ refused a reasonable written request by ~~registered~~ certified mail of the assessor to view such property.

SECTION 1064. 70.50 of the statutes is amended to read:

**70.50 Delivery of roll.** Except in cities of the 1st class and in 2nd class cities that have a board of assessors under s. 70.075 the assessor shall, on or before the first Monday in May, deliver the completed assessment roll and all the sworn statements and valuations of personal property to the clerk of the town, city or village, who shall file and preserve ~~the same them~~ in the clerk's office.

SECTION 1065. 70.511 (2) (b) of the statutes is amended to read:

70.511 (2) (b) If the reviewing authority reduces the value of the property in question, the taxpayer may file a claim for refund of taxes resulting from the reduction in value. The claim for refund shall be filed with the clerk of the municipality on or before November 1. ~~The clerk of the municipality may charge each taxing district for which taxes were collected from the taxpayer its proportionate share of the claim for refund.~~ The claim plus interest on it at the rate of 0.8% per month shall be payable to the taxpayer from the municipality no later than January of the succeeding year. In the case of manufacturing property assessed by the department of revenue under s. 70.995, the state shall pay the interest on the refund from the appropriation under s. 20.855 (4) (a), except that no interest may be paid if the reviewing authority determines under s. 70.995 (8) (a) that the value of the property was reduced because the taxpayer supplied false or incomplete information. If the assessment reduction involves a manufacturing property assessed under s. 70.995 or affects the municipality's equalized values, the clerk of the municipality may charge each taxing district for which taxes were collected from the taxpayer that district's proportionate share of the claim for refund. For purposes of this paragraph, the department of revenue shall have the sole discretion to determine the effect of the assessment reduction on the municipality's equalized values. Each taxing district so charged shall pay the municipality no later than January 31 of the year succeeding the taxing district's next property tax levy.

SECTION 1066. 70.525 of the statutes is repealed.

SECTION 1067. 70.57 (title) and (1) of the statutes are amended to read:

**70.57 (title) Assessment of counties and taxation districts by department.** (1) The department of revenue before August 15 of each year shall complete the valuation of the property of each county, ~~city, village and town~~ and taxation district of the state ~~except that in counties having a county assessor system in which the county assessor is required under s. 70.99 (9m) to meet with the county board the value of each county, city, village and town shall be determined under sub. (4).~~ From all the sources of information accessible to it the department shall determine and assess by class the value of all property subject to general property taxation in each county, ~~city, village and town~~ and taxation district. It shall set down a list of all the counties, ~~cities, villages and towns,~~ and taxation districts and opposite to the name of each county, ~~city, village and town,~~ and taxation district the valuation ~~thereof so determined by it~~ the department, which shall be the full value according to its best judgment. There shall also be prepared a list of all the counties of the state, with opposite the name of each county the valuation ~~thereof so determined,~~ which shall be certified by the secretary of revenue as the assessment of the ~~several~~ counties of the state made by the department, and be delivered to the department of administration. In any case where the department, through mistake or inadvertence, has assessed to any county or taxation district a greater or less valuation for any year than should have been assessed ~~to such county,~~ it shall correct such the error by adding to or subtracting from (as the case may be) the valuation of such the county or taxation district as determined by it at the next succeeding ~~county~~ assessment, the amount omitted from or added to the true valuation of such the county in the former ~~county~~ assessment in consequence of such the error, and the result shall be taken as the full value of such the county for the latter year and a final correction of such the error.

SECTION 1068. 70.57 (1m) of the statutes is created to read:

70.57 (1m) On August 15 the department of revenue shall notify each county and taxation district of its equalized value. Upon adoption of a resolution by the governing body of the county or taxation district or upon request by the local assessor, the chief elected official or the person designated by the governing body, the department of revenue shall make available to the person or governing body all sales information and other information used to establish the equalized value for the county or taxation district. Upon resolution by the governing body of a county or taxation district, the department shall review the equalized value established for the county or taxation district.

SECTION 1069. 70.57 (2) to (4) of the statutes are repealed.

SECTION 1070. 70.57 (5) of the statutes is repealed.

SECTION 1072. 70.61 of the statutes is repealed.

SECTION 1072m. 70.62 (4) (a) of the statutes is amended to read:

70.62 (4) (a) Tax levies of counties in ~~1975~~ 1981, payable in ~~1976~~ 1982, and in subsequent years for county purposes, shall not exceed the maximum allowable levy of calculated for the prior year by a greater percentage than the percentage of increase, if any, of the equalized value of all general property assessed in the state in ~~1975~~ 1981 and in subsequent years over the equalized value of all general property assessed in the state in ~~1974~~ 1980 and in subsequent years, respectively, except as provided in pars. (b), (e), (em), (h) and (i) and except that levies for the payment of principal and interest on general obligation bonds and notes issued for an original term of more than one year shall not be affected by this subsection. In determining the levies to be limited by this subsection, an amount equal to principal and interest on general obligation bonds and notes issued for an original term of more than one year included in the prior year's levy shall be excluded from the prior year's levy. In determining levies of 1976 and in subsequent years there shall be an additional exclusion from the prior year's levy of all nonlevy receipts for the retirement of general obligation bonds and notes issued for an original term of more



than one year. ~~After the 1977 levy, payable in 1978, and for subsequent years, "equalized value of all general property assessed in the state" shall not include property eligible for relief under s. 79.17.~~

SECTION 1073. 70.62 (4) (am) of the statutes is amended to read:

70.62 (4) (am) If the amount of levy increase determined under par. (a) is zero, the county may increase its levy by an amount equal to the levy increase it would have been certified if it had had a levy resulting from a tax rate of ~~25~~ 75 of a mill.

SECTION 1073m. 70.62 (4) (em) 7 of the statutes is amended to read:

70.62 (4) (em) 7. ~~For the 1978 to 1980 levies, an~~ An amount equal to the increase in costs related to the provision of new or expanded programs under subch. V of ch. 115.

SECTION 1073s. 70.62 (4) (em) 9 of the statutes is created to read:

70.62 (4) (em) 9. The cost of any local bridge project for which the county is liable under s. 84.18.

SECTION 1074. 70.62 (4) (f) of the statutes is amended to read:

70.62 (4) (f) If the county levies taxes in excess of the maximum allowed by this subsection without receiving approval of the electors under par. (g), the excess amount, if it is more than \$100, shall be subtracted from subsequent distributions of shared taxes revenue under subch. I of ch. 79 until fully recovered, and the levy shall be reduced by the amount of such the excess, regardless of the amount, in determining the maximum allowable levy for the subsequent next year.

SECTION 1075. 70.63 (1) of the statutes is amended to read:

70.63 (1) The county clerk shall apportion the county tax and the whole amount of state taxes and charges levied upon ~~his~~ the county, as certified by the department of administration, among the ~~several~~ towns, cities and villages of the county, according and in proportion to the valuation thereof as determined by the ~~county board; and department of revenue. The county clerk shall carry out in the record book, opposite the name of each in separate columns, the amount of state taxes and charges and the amount of county taxes so apportioned thereto, and the amount of all other special taxes or charges apportioned or ordered, or which he the clerk is required by law to make in any year to any such town, city or village, to be collected with such the annual taxes; and within 10 days after the assessment of values by the county board he.~~ county board. The clerk shall certify to the clerk of, and charge to each town, city and village, except in cities of the 1st class, the amount of all such taxes so apportioned to and levied upon the same it, and shall, at the same time, file with the county treasurer a certified copy of the each apportionment so certified by him to each town, village and city clerk.

SECTION 1076. 70.64 (title) and (1) to (5) of the statutes are amended to read:

**70.64 (title) Review of equalized values.** (1) **BY TAX APPEALS COMMISSION.** The assessment and determination of the relative value of taxable general property in ~~the several any county or taxation districts of any county district, made by the county board under s. 70.64~~ any county or taxation district, made by the county board under s. 70.64 ~~department of revenue under s. 70.57,~~ may be reviewed, and a redetermination of the value of such property may be made by the tax appeals commission, upon appeal ~~to said tax appeals commission by any the county or taxation district in such county.~~ to said tax appeals commission by any the county or taxation district in such county. The filing of such appeal in the manner hereinafter provided in this section by ~~any one or more county or taxation districts~~ any one or more county or taxation districts shall impose upon the commission the duty, under the powers conferred upon it by s. 73.01 (4) (a), to review the ~~taxation district~~ assessment complained of ~~and if.~~ and if. If, in its judgment based upon the testimony, evidence and record made on the preliminary hearing of such appeal, the commission finds such assessment to be unequal and discriminatory, it shall determine to correct such assessment to bring it into substantial compliance with law. Such Except as provided in this section, the appeal shall be taken and such review and redetermination shall be made as provided in subs. (2)

to ~~(12)~~, ss. 73.01 and 73.015 and under such the rules governing the procedure ~~therein~~, not inconsistent with law, as may be prescribed by of the commission.

(2) AUTHORIZATION OF APPEALS. To authorize such appeal an order or resolution directing the same to be taken shall be adopted by the governing body of the ~~taxation-district county or taxation district~~ taking such the appeal at a lawful meeting of such the governing body. When an appeal shall have been authorized the prosecution ~~thereof of it~~ shall be in charge of the chairperson of the county board or county administrator or of the ~~chairman~~ chairperson, mayor or president of the ~~taxation-district~~ taxation district taking the appeal unless otherwise directed by the governing body. The officers or committee in charge of such the appeal may employ attorneys to conduct ~~the same the appeal~~. After authorizing an appeal as provided above in this subsection, any ~~two 2~~ or more ~~taxation-districts~~ taxation districts in the same county may join in taking and prosecuting such an appeal.

(3) FORM OF APPEAL. To accomplish such an appeal there shall be filed ~~in the office of the county clerk, within 30 days after the date of making the taxation district assessment by the county board, with the tax appeals commission on or before October 15~~ an appeal in writing which shall set setting forth:

(a) That the county or taxation district, naming the same, appeals to the tax appeals commission from the ~~taxation-district~~ assessment made by the ~~county board under s. 70.61~~ department of revenue under s. 70.57, specifying the date of such assessment.

(b) Whether such the appeal is for the purpose of obtaining to obtain a review and redetermination of the assessment of all the ~~taxation-districts~~ taxation districts of the county or of particular districts only, therein specified.

(c) Whether review and redetermination is desired as to real estate, or as to personal property, or both.

(d) That such the appeal has been authorized by an order or resolution of the county board or governing body of the taxation district in whose behalf such the appeal is taken.

(e) A plain and concise statement, without unnecessary repetition, of the facts constituting the grievance sought to be remedied upon such appeal, and which shall contain ~~allegations alleging~~ specifically allege in what respects the assessment is in error.

(f) The appeal shall be verified by a member of the governing body of the county or taxation district authorizing such the appeal, in the manner that pleadings in courts of record may be are verified. When 2 or more taxation districts join in taking such appeal the verification may be made by the proper officer of any one of them.

(4) CERTIFIED COPIES. Upon the filing of such appeal, the county clerk of the county or taxation district, without delay, shall prepare certified copies ~~thereof of it~~, together with certified copies of the ~~taxation-district assessment of the county board value established by the department of revenue from which such the appeal is taken and of the record of the proceedings of the board in relation thereto~~ and a complete list showing the clerk of each taxation district within such the county and the post-office address of each, ~~and~~. The clerk shall mail by certified mail 4 sets of said certified copies to the tax appeals commission and one set of said the copies to the department of revenue, the county clerk and to the clerk of each ~~town, city or village~~ taxation district within the county.

(5) APPEARANCE. Not later than 30 days after the ~~county clerk of the county or taxation district~~ has mailed said the certified copies, unless such the time is enlarged extended by order of the tax appeals commission, any county, town, city or village may cause an appearance to be entered in its behalf before said the commission in support of such the appeal and uniting with the appellant for the relief demanded; and by verified petition or statement showing grounds therefor may apply for other or further review and redetermination than that demanded in such the appeal. Within the ~~like~~ same time such

the county, town, city or village in ~~such the~~ county may in ~~like the same~~ manner have its appearance entered in opposition to ~~such the~~ appeal and to the relief demanded. Such appearances shall be authorized in ~~the~~ manner for authorizing an appeal ~~as provided in under~~ sub. (2). When so authorized the interests of the county, town, city or village authorizing ~~the same~~ it shall be in the charge of the chairman, mayor or president thereof unless otherwise directed by the body authorizing such appearance; and attorneys may be employed in that behalf. In such appearances any 2 or more of the towns, cities and villages of ~~said the~~ county may join if united in support of or in opposition to ~~such the~~ appeal. Four copies of each appearance, petition or statement mentioned in this subsection shall be filed in the offices of the tax appeals commission and a ~~like~~ copy of each mailed by certified mail to the department of revenue, to the county clerk, and to the clerk of each town, city and village within ~~said the~~ county, and a ~~like~~ copy to the attorney authorized to appear on behalf of the county or any town, city or village within ~~said the~~ county.

SECTION 1076g. 70.65 of the statutes is amended to read:

**70.65 Tax roll.** (1) From the assessment roll when so corrected, the clerk of the taxation district shall make out in a book to be called a tax roll, a complete list of all the taxable real property ~~therein arranged~~, except as ~~herein~~ directed under this section in regular order as to lots and blocks and sections and parts of sections, by the proper corrected descriptions and having entered opposite in separate columns the name of the person to whom assessed before, and the valuation ~~thereof, ascertained as aforesaid~~, after ~~such the~~ description, and also a complete alphabetical list of all persons in ~~his the~~ clerk's town having any taxable personal property, with the aggregate valuation of ~~such the~~ property ~~ascertained as aforesaid~~, and the number of the school district in which it is subject to taxation set opposite in separate columns. Whenever the property ~~situate~~ located in an ~~incorporated village or~~ unincorporated village, the limits of which have been designated by the town board is embraced in a town tax roll the list of the real property and of persons taxable for personal property ~~as aforesaid~~ shall be entered in a continuous part of the roll ~~and the valuations be separately footed~~. Public lands sold and not patented and lands mortgaged to the state shall be separately entered under a proper heading.

(2) ~~Whenever the common council or other governing body of any city, town or village in this state shall direct, the~~ The aggregate amount of state, county and, local, school and other general property taxes shall be carried in a single column in the tax roll opposite the parcel or tract of land against which the tax is levied, or, in case of personal property, in a single column opposite the name of the person, firm or corporation against whom the said tax is levied. Each tax bill or receipt shall show the purpose for which ~~such the~~ taxes are to be used, giving the percentage breakdown for state, county ~~and, local, school and other general property taxes.~~

SECTION 1076m. 70.66 (1) and (2) of the statutes are amended to read:

**70.66 (1) (title) BY TAXATION DISTRICT CLERKS.** Upon receipt of the certificate of the apportionment from the county clerk each ~~town and village taxation district clerk in counties containing a population of more than 300,000 shall, upon a uniform percentage, uniformly~~ calculate and carry out in one item opposite to each valuation in the tax roll the amount required to be raised upon ~~such the~~ valuation to realize in ~~his town the~~ taxation district the whole amount of state, county, school and other taxes so certified, together with ~~such the~~ town, village or city and other local taxes, except taxes to pay judgments, as ~~that are to be levied uniformly upon all the taxable property in the town taxation district; and all other taxes, if any, including taxes to pay judgments, in separate column opposite the valuation of the property to be charged.~~

(2) **UNPAID TAX ENTERED.** ~~He~~ The clerk shall enter upon ~~said the~~ roll a statement showing the ~~several~~ amounts of taxes levied upon ~~said town the~~ taxation district or any part thereof and for what purpose; provided, in case the board of supervisors of any county

~~shall so order, said town orders, the taxation district clerk shall calculate and carry out in separate items~~ one item the several amounts of taxes as that are to be levied uniformly upon all the taxable property of the ~~town~~ taxation district in ~~separate columns~~ a single column on ~~such~~ the roll, the form of which may be prescribed by such county board.

SECTION 1076r. 70.66 (3) of the statutes is repealed.

SECTION 1077. 70.665 of the statutes is amended to read:

**70.665 Tax statement.** The real and personal property tax bills prepared by the clerks of each taxation district, after July 1, 1962, shall show the amount of the tax that would be levied if there were no distribution of taxes ~~the Wisconsin tax credit under s. 79.10 and if there were no personal property tax offset under s. 79.12, 1973 stats. or s. 79.17.~~ The real and personal property tax bills prepared by the clerks of the taxation districts after January 1, 1981, shall show the assessed value of the property as it appears on the tax roll and the estimated fair market value of the property. The clerks shall also include with the tax bill an explanation as prescribed by the department of revenue of the procedure used to establish the estimated fair market value. For the purpose of this section, the "estimated fair market value" of taxable property is the quotient of the assessed value of the property divided by the assessment ratio of all taxable property in the taxation district for the same year as determined by the department of revenue.

SECTION 1077m. 70.75 (3) of the statutes is amended to read:

**70.75 (3) SPECIAL SUPERVISION INSTEAD OF REASSESSMENT.** Whenever the department determines, after the hearing provided for in sub. (1) or in the determination under s. 70.05 (5) (d), that the assessment complained of was not made in substantial compliance with law but that the interests of all the taxpayers of such district will best be promoted by special supervision of succeeding assessments to the end that the assessment of such district shall thereafter be lawfully made, it may proceed as follows: It may designate one or more employes of the department or appoint one or more other qualified persons to assist the local assessor in making the assessments to be thereafter made in such district. Any person so appointed may give all or such part of his time to such supervision as, in the judgment of the department, is necessary to complete such assessment in substantial compliance with the law, and in performing such task shall have all the powers given by law to any person designated to make a reassessment and together with the assessor shall constitute an assessment board as defined in s. 70.055.

SECTION 1078. 70.75 (4) of the statutes is amended to read:

**70.75 (4) COSTS.** All costs of the department of revenue in connection with reassessment or special supervision under this section shall be borne by the taxation district. These receipts shall be credited to the appropriation under s. 20.566 (2) (h). Past due accounts shall be certified on ~~October 1~~ or before the 4th Monday of August of each year and included in the next apportionment of state special charges to local units of government.

SECTION 1079. 70.85 (1) of the statutes is amended to read:

**70.85 (1)** Whenever it appears to the satisfaction of the department of revenue, on a written complaint filed with the department within 20 days after the adjournment of the board of review for any taxation district, that the assessment of one or more descriptions ~~or classes~~ of property in such the taxation district, ~~the aggregate assessment of which does not exceed 10% of the assessment of all property therein~~ fair market value of which does not exceed \$1 million as determined by the department of revenue, is radically out of proportion to the general average of the assessment of all other property in ~~such~~ the district and the ~~same~~ assessment can be satisfactorily corrected without a reassessment of the entire district, the department of revenue may revalue ~~such~~ the property and equalize the assessment without the intervention of a board of review, if the revaluation can be accomplished before ~~September~~ November 1 of the year in which ~~such~~ the assessment is

made or within 60 days of the receipt of the written complaint, whichever is later. The valuation so fixed by the department shall be substituted for the original valuation in the assessment and tax rolls and taxes computed and paid ~~thereon~~ on it accordingly. No assessment shall be raised except on the written complaint of 3 or more taxpayers and only if the party to whom the property is assessed has been duly notified of such the intention in time to appear and be heard before, or file the party's objections with, the department in relation ~~thereto~~ to it. Appeal from the determination of the department shall be by writ of certiorari to the circuit court of the county in which the property is located and shall be placed at the head of the circuit court calendar for an early hearing.

SECTION 1080. 70.99 (3) (b) of the statutes is amended to read:

70.99 (3) (b) The department of revenue shall establish levels of proficiency for all appraisal personnel to be employed in offices of county assessors. ~~The department of employment relations shall conduct examinations for each such level of proficiency and, at the request of any county assessor, shall supply such assessor with the names and addresses of all persons who have passed an examination with respect thereto. The county assessor shall select a person from such certified list of persons for the particular position.~~

SECTION 1081. 70.99 (3) (c) of the statutes is repealed.

SECTION 1082. 70.99 (9m) of the statutes is repealed.

SECTION 1083. 70.99 (13) (c) 2 of the statutes is amended to read:

70.99 (13) (c) 2. No county shall be eligible for any payment under sub. (12) unless the county assessor's office employs the minimum number of persons at the appropriate level of certification as determined by the department of revenue. ~~Employes of a county assessor's office that are hired without certification according to sub. (3) (c) shall be considered at the appropriate level of certification for purposes of this paragraph during their first and second years of employment.~~

SECTION 1084. 70.995 (7) (b) of the statutes is repealed and recreated to read:

70.995 (7) (b) Each 5 years, or more frequently if the department of revenue's workload permits and if in the department's judgment it is desirable, the department of revenue shall complete a field investigation or on-site appraisal at full value under ss. 70.32 (1) and 70.34 of all manufacturing property in this state.

SECTION 1085. 70.995 (8) (a) to (d) of the statutes are amended to read:

70.995 (8) (a) The secretary of revenue shall establish a state board of assessors, which shall be comprised of the members of the department of revenue whom the secretary designates. The state board of assessors shall investigate any objection ~~referred to it by direction of the tax appeals commission filed under par. (c).~~ The state board of assessors shall, after having made the investigation, shall notify the person assessed or the person's agent and the appropriate municipality of its determination by 1st class mail, ~~and a copy of the determination shall be sent to the tax appeals commission.~~ If the determination results in a refund of property taxes paid, the state board of assessors shall include in the determination a finding of whether the refund is due to false or incomplete information supplied by the person assessed. The person assessed or the municipality having been notified of the determination of the state board of assessors shall be deemed to have accepted the determination unless the person or municipality notifies files a petition for review with the clerk of the tax appeals commission in writing, within 15 days of issuance of the notice of a desire to present testimony before as provided in s. 73.01 (5) and the rules of practice promulgated by the commission. If an assessment is reduced by the state board of assessors, the municipality affected may seek review of the reduction before the tax appeals commission even though the municipality did not file an objection to the assessment with ~~the tax appeals commission prior to the referral to the board.~~ If an assessment is increased by the board, the person assessed may seek review of the increase before the commission even though the person did not file an objection to the assessment with ~~the commission prior to the referral to the board.~~

(b) The department of revenue shall annually notify each manufacturer assessed under this section and the municipality in which the manufacturing property is located of the full value of all real and personal property owned by the manufacturer. The notice shall be in writing and shall be sent by 1st class mail. In addition, the notice shall specify that objections to valuation must be filed with ~~the tax appeals commission~~ state board of assessors within 60 days of issuance of the notice of assessment. A statement shall be attached to the assessment roll indicating that the notices required by this section have been mailed and failure to receive the notice does not affect the validity of the assessments, the resulting tax on real or personal property, the procedures of the tax appeals commission or of the state board of assessors or the enforcement of delinquent taxes by statutory means.

(c) All objections to the amount or valuation of real or personal property shall be first made in writing on a form prescribed by the department of revenue and shall be filed with the ~~clerk of the tax appeals commission as provided in s. 73.01 (5) and the rules of practice promulgated by the commission~~ state board of assessors within the time prescribed in par. (b). ~~The~~ Neither the state board of assessors nor the tax appeals commission may ~~not~~ waive the requirement that ~~such~~ objections be in writing. ~~If such objections have been investigated by the board of assessors as provided under par. (a), the commission may adopt the recommendation of the board of assessors.~~

(d) A municipality may file an objection with the ~~tax appeals commission~~ state board of assessors seeking an increase in assessment made under this section of a specific property having a situs in the municipality, whether or not the owner of the specific property in question has filed an objection. The objections of the municipality shall be limited to valuation of the property. Objection shall be made on a form prescribed by the department and filed with the ~~commission~~ board within 60 days of the date of the issuance of the assessment in question. The ~~commission~~ board shall forthwith notify the person assessed of the objection to the assessment filed by the municipality. ~~The person assessed shall be a party to the proceeding and if the person assessed has also objected to the assessment, both objections shall be heard as one proceeding.~~

SECTION 1086. 70.995 (8) (e) of the statutes is amended to read:

70.995 (8) (e) Upon completion of and review by the tax appeals commission and receipt of the statement of assessments required under s. 70.53, the department of revenue shall be responsible for equating all full-value manufacturing property assessments entered in the manufacturing property assessment roll to the general level of assessment of all other property ~~except merchants' stock-in-trade and livestock~~ within the individual taxation district. Thereafter, the manufacturing property assessment roll shall be delivered to the municipal clerk and annexed to the municipal assessment roll containing all other property.

SECTION 1087. 70.995 (9) of the statutes is amended to read:

70.995 (9) Any aggrieved party may appeal a determination by the tax appeals commission under sub. (8) ~~(e)~~ to the circuit court for the county in which the property is located or to the circuit court of Dane county under s. 73.015.

SECTION 1088. 70.995 (12) (a) of the statutes is amended to read:

70.995 (12) (a) The department of revenue shall prescribe a standard manufacturing property report form that shall be submitted annually for each real estate parcel and each personal property account on or before March 1 by all manufacturers ~~included in a classification specified in sub. (2)~~ whose property is assessed under this section. The report form shall contain all information deemed necessary by the department and shall include, without limitation, income and operating statements, fixed asset schedules and a report of new construction or demolition. Failure to submit the report shall result in denial of any right of redetermination by the state board of assessors or the tax appeals commission. If any ~~real or personal~~ property is omitted or understated in the assessment roll in any of the

next 5 previous years ~~except 1973, 1972, 1971, 1970 and 1969~~, the assessor shall enter the value of the omitted or understated property once for each previous year of the omission or understatement. The assessor shall designate each additional entry as omitted or understated for the year 19.. (giving year of omission or understatement). The assessor shall affix a just valuation to each entry for a former year as it should have been assessed according to the assessor's best judgment. Taxes shall be apportioned and collected on the tax roll for each entry, and interest shall be added at the rate of 0.8% per month for the period of time between the date when the ~~incorrect~~ form is required to be submitted and the date when the assessor affixes the just valuation. In computing this interest, a fraction of a month shall be considered to be a full month.

SECTION 1088m. 70.995 (12) (c) of the statutes is amended to read:

70.995 (12) (c) If a taxpayer fails to file any form required under par. (a) by the due date or by any extension of the due date that has been granted, the department of revenue shall enter against the taxpayer a penalty ~~not to exceed the lesser of \$10,000 or 0.05% of 5% of the previous year's full value assessment taxes due~~ for the property to be assessed from the form, if the property was assessed by the department during the previous year, or \$10, whichever is greater. If the form required under par. (a) is not filed within 30 days after the due date or within 30 days after any extension, the department of revenue shall enter against the taxpayer a 2nd penalty equal to 5% of the taxes due. The department shall not enter a penalty if the department did not assess the property during the previous year.

SECTION 1089. 70.996 of the statutes is repealed.

~~SECTION 1089c. 71.01 (2) of the statutes is amended to read:~~

~~71.01 (2) FRANCHISE TAX ON CORPORATIONS. For the privilege of exercising its franchise or doing business in this state in a corporate capacity every domestic or foreign corporation, except corporations specified in sub. (3), shall annually pay a franchise tax according to or measured by its entire net income of the preceding income year at the rates set forth in s. 71.09 (2m). Every corporation organized under the laws of this state shall be deemed to be residing within this state for the purposes of this franchise tax. All provisions of chs. 71 and 73 relating to net income taxation of corporations shall apply to franchise taxes imposed under this subsection, unless the context requires otherwise. The tax imposed by this subsection on national banking associations shall be in lieu of all taxes imposed by this state on national banking associations to the extent it is not permissible to tax such associations under federal law. The tax imposed by this subsection on insurance companies subject to taxation under this chapter, except societies, organizations or corporations under ch. 613 operating by virtue of s. 148.03, 447.13, 449.15, 450.13 or 613.80, shall be based on net income computed under sub. (4), and no other provision of this chapter relating to computation of taxable income for other corporations shall apply to such insurance companies. All other provisions of this chapter shall apply to insurance companies subject to taxation under this chapter unless the context clearly requires otherwise. The tax imposed upon societies, organizations or corporations under ch. 613 operating by virtue of s. 148.03, 447.13, 449.15, 450.13 or 613.80, shall be upon such net income as is determined by application to such companies of those provisions of the internal revenue code applicable to mutual insurance companies, other than life insurance companies or mutual marine insurance companies, having total receipts over \$500,000 subject to any applicable addition or subtraction as provided in sub. (4) (a). The tax imposed by this subsection on an integrated oil company or its subsidiaries shall be in addition to the tax on or measured by the income derived from the petroleum business activities subject to taxation under sub. (5) (b) and (c).~~

SECTION 1089d. 71.01 (4) (a) 6 of the statutes is amended to read:

71.01 (4) (a) 6. By adding to federal taxable income the amount of ~~Wisconsin corporation franchise tax taxes imposed by this or any other state, the District of Columbia or a foreign country~~ on or measured by net income, gross income, gross receipts or capital stock, if any, deducted in the calculation of federal taxable income except that gross receipts taxes assessed in lieu of property taxes are deductible from gross income. Vetoed in Part

~~SECTION 1089e. 71.01 (4) (a) 6m of the statutes is created to read:  
71.01 (4) (a) 6m. By adding to federal taxable income, for taxable year 1981 and thereafter, expenses allowable under the internal revenue code, as follows:~~

~~a. The expenses with respect to an activity, except admissions to an organized athletic event that takes place in Wisconsin, which is of a type generally considered to constitute entertainment, amusement, or recreation, or with respect to a facility used in connection with these activities, except to the extent that food, beverage and facility expenses are allowed as a deduction under subd. 6m. b, c or d.~~

~~b. One-half of the expenses for food and beverages furnished to any individual under circumstances which (taking into account the surroundings in which furnished, the taxpayer's trade, business or income-producing activity and the relationship to the trade, business or activity of the persons to whom the food and beverages are furnished) are of a type generally considered to be conducive to a business discussion.~~

~~c. One-half of the portion of expenses for food and beverages that the taxpayer establishes to be directly related to, or, in the case of the furnishing of food and beverages directly preceding or following a substantial and bona fide business discussion (including business meetings at a convention or otherwise), to be associated with, the active conduct of the taxpayer's trade, business or activity described in section 212 of the internal revenue code.~~

~~d. One-half of the expenses with respect to a facility on the business premises of an employer which is used primarily in connection with furnishing food and beverages under circumstances described in subd. 6m. b or c.~~

~~e. The amount of expenses of regularly scheduled commercial air transportation allowed under section 162 or 212 of the internal revenue code which exceeds the lowest priced generally available fare at the time of travel for regularly scheduled flights to and from the destination. A fare will not be considered generally available if it is available only to individuals who fly on standby or other special status, who purchase tickets a specified period of time in advance, who travel to a required destination or who stay at a destination for a specified period of time.~~

\* SECTION 1089r. 71.01 (4) (a) 8 of the statutes is repealed.

SECTION 1089s. 71.01 (4) (g) 4 of the statutes is amended to read:  
71.01 (4) (g) 4. For taxable year 1980 and subsequent years, "internal revenue code" means the federal internal revenue code as amended to December 31, 1979, except that, at the taxpayer's option, amendments to the code adopted after December 31, 1980, may be taken into account with respect to property other than residential rental real property if those changes affect the computation of depreciation or of adjusted basis. Vetoed in Part

\* SECTION 1089t. 71.01 (4) (g) 5 of the statutes is renumbered 71.01 (4) (g) 9.

SECTION 1089u. 71.01 (4) (g) 5 of the statutes is created to read:  
71.01 (4) (g) 5. For taxable year 1981 and subsequent years, "internal revenue code" means the federal internal revenue code as amended to December 31, 1980, except that, at the taxpayer's option, amendments to the code adopted after December 31, 1980, may be taken into account with respect to property other than residential rental real property if those changes affect the computation of depreciation or of adjusted basis. Vetoed in Part

~~SECTION 1089m. 71.01 (5) of the statutes is created to read:  
71.01 (5) INTEGRATED OIL COMPANIES. (a) Definitions. In this subsection:~~ Vetoed in Part

\* This SECTION listed as disapproved in governor's veto message but text not vetoed. See 70 O.A.G. 189 (1981).



1. "Excess taxable income" means taxable income as computed under this chapter with the modifications under par. (b) 1 to 3 minus normal taxable income.

1m. "Income" means income derived from any of the activities under subd. 4.

2. "In-state sales" is the amount that the corporation reports as the numerator of the sales factor under s. 71.07 (2).

3. "In-state taxable income" for the current year is the taxable income apportioned to this state under par. (b). "In-state taxable income" for taxable year 1978 is the taxable income the corporation would have reported for that year if it had computed its income under par. (b).

4. "Integrated oil company" means a corporation that itself or including the activities of its subsidiaries engages in extraction, production and refining of crude petroleum and in the transportation, distribution and marketing of crude petroleum, gasoline, distillate fuels, aviation fuels, kerosene, diesel motor fuel, residual oil, propane, benzol, butane or other similar petroleum products.

4m. "Integrated oil company" does not include any company that either has net production of less than 150,000 barrels of crude petroleum per day or refines less than 150,000 barrels of crude petroleum per day.

5. "Normal taxable income" means the in-state sales of the company for the taxable year under this chapter with the modifications under par. (b) 1 multiplied by an amount determined by dividing the company's in-state taxable income for taxable year 1978 or for an adjusted year under par. (c) by the company's in-state sales for taxable year 1978 or for an adjusted year under par. (c).

6. "Subsidiary" means a corporation in which more than 50% of the voting stock is owned directly or indirectly by an integrated oil company.

(b) *Tax on normal taxable income.* Each integrated oil company or subsidiary thereof or both subject to taxation by this state shall pay a tax equal to 7.9% of its normal taxable income. In computing the tax:

1. The income of an integrated oil company shall be combined with the income of its subsidiaries. If a subsidiary of an integrated oil company does business in this state, the income of that subsidiary shall be combined with the income of the integrated oil company and with the income of each of the integrated oil company's other subsidiaries. If the integrated oil company or subsidiary, in addition to its petroleum activities under par. (a) 4, derives income from activities other than those petroleum activities, only that income attributable to the petroleum activities, including activities related to natural gas, shall be combined. In computing the denominators of the property, payroll and sales factors under s. 71.07 (2), the taxpayer under this subsection shall include amounts of property, payroll and sales associated with all of the income combined under this subsection.

2. No current deduction for expenses for intangible drilling and development costs, as provided under section 263 (c) of the internal revenue code as of December 31, 1980, may be claimed. Any intangible drilling and development costs associated with a well may be capitalized over the life of that well and deducted as cost depletion, depreciation or loss, as appropriate, under the internal revenue code as of December 31, 1980.

3. No deduction for taxes paid under this chapter may be claimed.

4. If any provision in this paragraph is held to be unconstitutional, all provisions in this paragraph are invalid.

(c) *Tax on excess taxable income.* In addition to the tax imposed under par. (b), each integrated oil company or subsidiary thereof or both subject to taxation by this state shall pay an excess taxable income tax equal to 50% of its excess taxable income. If a company's 1978 taxable income under par. (b) is less than its 1977 taxable income under that paragraph, or if a company's source of taxable income has substantially changed during

or since 1978, the company may use an adjusted base year, if it has received written permission of the secretary of revenue following full disclosure of all information requested by the secretary. A company computing an adjusted base year may recalculate 1978 taxable income without regard for any extraordinary or nonrecurring expenses, but taking into consideration substantial changes in the company's source of taxable income. In computing the tax under this paragraph, par. (b) 1 to 3 applies. If any provision in this paragraph is held to be unconstitutional, all provisions in this paragraph are invalid.

(c) *Tax credit.* Taxpayers may credit against the tax otherwise due under this subsection an amount equal to the amount of taxes paid for the taxable year under sub. (2). For purposes of this paragraph "the amount of taxes paid" means an amount determined by multiplying the amount of taxes paid under sub. (2) by an integrated oil company or subsidiary by a fraction the numerator of which is the integrated oil company's or subsidiary's petroleum-related taxable income computed for purposes of sub. (2) and the denominator of which is the integrated oil company's or subsidiary's total taxable income computed for purposes of sub. (2).

(d) *Deposit and notification of amounts collected.* The secretary of revenue shall deposit all moneys collected under this subsection in the appropriation under s. 20.855 (4) (c). Annually on August 1, the secretary of revenue shall notify the state superintendent of public instruction, the secretary of administration and the state treasurer, in writing, of the total amount of funds deposited in the appropriation under s. 20.855 (4) (c) during the preceding fiscal year.

(e) *Relationship to chapters 71 and 73.* Except for s. 71.22 (10), all provisions of chs. 71 and 73 relating to net income taxation of corporations shall apply to the taxes on normal taxable income and the taxes on excess taxable income imposed under this subsection, unless the context requires otherwise.

SECTION 1089v. 71.02 (1) (a) 5 of the statutes is amended to read:

71.02 (1) (a) 5. For taxable year 1980 and subsequent years, for a corporation or common law trust which qualifies as a regulated investment company or real estate investment trust under the internal revenue code as amended to December 31, 1979, "net income" means the federal regulated investment company taxable income or the federal real estate investment trust taxable income of the corporation or trust as determined under the internal revenue code as amended to December 31, 1979, except that, at the taxpayer's option, amendments to the code adopted after December 31, 1980, may be taken into account with respect to property other than residential rental real property if those changes affect the computation of depreciation or of adjusted basis. Vetoed in Part

SECTION 1089w. 71.02 (1) (a) 6 of the statutes is created to read:

71.02 (1) (a) 6. For taxable year 1981 and subsequent years, for a corporation or common law trust which qualifies as a regulated investment company or real estate investment trust under the internal revenue code as amended to December 31, 1980, "net income" means the federal regulated investment company taxable income or the federal real estate investment trust taxable income of the corporation or trust as determined under the internal revenue code as amended to December 31, 1980, except that, at the taxpayer's option, amendments to the code adopted after December 31, 1980, may be taken into account with respect to property other than residential rental real property if those changes affect the computation of depreciation or of adjusted basis. Vetoed in Part

\* SECTION 1089wm. 71.02 (1) (c) of the statutes is amended to read:

71.02 (1) (c) "Paid" or "actually paid" are to be construed in each instance in the light of the method used in computing taxable income whether on the accrual or receipt basis; but the deduction for federal income and excess profits taxes shall be confined to cash payments made within the year covered by the income tax return.

SECTION 1089x. 71.02 (2) (b) 6 of the statutes is amended to read:

\* This SECTION listed as disapproved in governor's veto message but text not vetoed. See 70 O.A.G. 189 (1981).

Vetoed  
in Part

71.02 (2) (b) 6. For the taxable year 1980 ~~and thereafter~~, "internal revenue code" means the federal internal revenue code in effect on December 31, 1979, except that it includes section 214 of the code (relating to deduction of certain dependent care expenses) as it existed immediately prior to its repeal in 1976 by section 504 (b) (1) of P.L. 94-455, section 218 of the code (relating to the deduction of political contributions) as it existed immediately prior to its repeal in 1978 by section 113 (a) of P.L. 95-600 and section 911 (c) of the code (relating to the foreign earned income exclusion) as it existed on December 31, 1977, and, except that, at the taxpayer's option, changes to the code adopted after December 31, 1980, may be taken into account with respect to property other than residential rental real property if those changes affect the computation of depreciation or of adjusted basis and it does not include the changes to the code enacted by section 2112 (relating to tax treatment of certain pollution control facilities) of P.L. 94-455, section 164 (relating to employers' educational assistance plans) of P.L. 95-600 and sections 203 and 209 (c) (relating to certain expenses of living abroad) of P.L. 95-615. ~~Amendments Except for amendments that affect computation of depreciation or of adjusted basis with respect to property other than residential rental real property, amendments to the internal revenue code enacted after December 31, 1979, do not apply to this subsection with respect to the taxable year 1980 and thereafter.~~

SECTION 1089y. 71.02 (2) (b) 7 of the statutes is created to read:

Vetoed  
in Part

71.02 (2) (b) 7. For the taxable year 1981 and thereafter, for natural persons, fiduciaries and tax-option corporations "internal revenue code" means the federal internal revenue code in effect on December 31, 1980, except that it includes section 214 of the internal revenue code (relating to deduction of certain dependent care expenses) as it existed immediately prior to its repeal in 1976 by section 504 (b) (1) of P.L. 94-455 with the modification that the applicable work requirements are those under section 44A of the internal revenue code as amended to the effective date of this subdivision (1981), and those under the regulations relevant to that section that are in effect on the effective date of this subdivision (1981), section 218 of the internal revenue code (relating to the deduction of political contributions) as it existed immediately prior to its repeal in 1978 by section 113 (a) of P.L. 95-600, and section 911 (c) of the internal revenue code (relating to the foreign earned income exclusion) as it existed on December 31, 1977, and except that, at the taxpayer's option, ~~amendments to the internal revenue code after December 31, 1980, may be taken into account with respect to property other than residential rental real property if these amendments affect the computation of depreciation or of adjusted basis; and it does not include the changes to the internal revenue code enacted by section 2112 (relating to the treatment of certain pollution control facilities) of P.L. 94-455, section 164 (relating to employers' educational assistance plans) of P.L. 95-600 and sections 203 and 209 (c) (relating to certain expenses of living abroad) of P.L. 95-615. With respect to the treatment of interest and dividend income, for taxable year 1982 and thereafter, "internal revenue code" does not include the changes enacted by section 404 of P.L. 96-223 (relating to the exclusion for interest and dividends) and "internal revenue code" includes section 116 of the internal revenue code (relating to an exclusion for dividends) as it existed immediately prior to amendment by section 404 of P.L. 96-223. Except for amendments that affect computation of depreciation or of adjusted basis with respect to property other than residential rental real property, amendments to the internal revenue code enacted after December 31, 1980, do not apply to this subsection with respect to the taxable year 1981 and thereafter.~~

\* SECTION 1089z. 71.03 (1) (g) 3 of the statutes is amended to read:

71.03 (1) (g) 3. If property, exclusive of inventories (as raw materials, goods in process and finished goods), as a result of its destruction in whole or in part by fire or other casualty, theft or seizure, or an exercise of power of requisition or condemnation or the threat or imminence thereof, is involuntarily converted into money which is within 2 years

\* This SECTION listed as disapproved in governor's veto message but text not vetoed. See 70 O.A.G. 189 (1981).

from date of the conversion, or within extensions of such period as granted by the department of revenue, actually expended, in good faith under rules prescribed by the department of revenue, to replace the property converted by the acquisition of other property located in Wisconsin similar or related in service or use to the property converted, no gain shall be recognized, and in the case of gain the property so replaced or newly acquired, for purposes of depreciation and all other purposes of taxation, shall be deemed to take the place of the property so converted. If any part of the money is not so expended, the gain, if any, shall be recognized, but in an amount not in excess of the money which is not so expended. A replacement of property by an insurer shall be deemed to be an expenditure by the taxpayer of insurance moneys received from the insurer for the purposes of this subsection. This paragraph does not apply to property located in this state which does not produce business income and is involuntarily converted and replaced with similar property located outside this state, or to property located in this state which produces business income and is involuntarily converted and replaced with property located outside this state if, at the time of replacement, the taxpayer is not subject to taxation under this chapter.

SECTION 1090a. 71.04 (2) (b) 4 of the statutes is created to read:

71.04 (2) (b) 4. In the case of operators of oil and gas wells and geothermal wells, the related intangible drilling and development costs incurred in taxable year 1981 and thereafter deductible under section 263 (c) of the internal revenue code. Notwithstanding sub. (15), a taxpayer shall capitalize those costs and may recover their Wisconsin adjusted basis through annual deductions for cost depletion or depreciation or, in the case of costs related to nonproductive wells, as a loss, all as provided under the internal revenue code and regulations as amended to December 31, 1980.

SECTION 1090b. 71.04 (2) (b) 5 of the statutes is created to read:

71.04 (2) (b) 5. For taxable year 1981 and thereafter, expenses allowable under the internal revenue code, as follows:

a. The expenses with respect to an activity, except admissions to an organized athletic event that takes place in Wisconsin, which is of a type generally considered to constitute entertainment, amusement, or recreation, or with respect to a facility used in connection with these activities, except to the extent that food, beverage and facility expenses are allowed as a deduction under subd. 5. b, c or d.

b. One-half of the expenses for food and beverages furnished to any individual under circumstances which (taking into account the surroundings in which furnished, the taxpayer's trade, business or income-producing activity and the relationship to the trade, business or activity of the persons to whom the food and beverages are furnished) are of a type generally considered to be conducive to a business discussion.

c. One-half of the portion of expenses for food and beverages that the taxpayer establishes to be directly related to, or, in the case of the furnishing of food and beverages directly preceding or following a substantial and bona fide business discussion (including business meetings at a convention or otherwise), to be associated with, the active conduct of the taxpayer's trade, business or activity described in section 212 of the internal revenue code.

d. One-half of the expenses with respect to a facility on the business premises of an employer which is used primarily in connection with furnishing food and beverages under circumstances described in subd. 5. b or c.

e. The amount of expenses of regularly scheduled commercial air transportation allowed under section 162 or 212 of the internal revenue code which exceeds the lowest priced generally available fare at the time of travel for regularly scheduled flights to and from the destination. A fare will not be considered generally available if it is available only to individuals who fly on standby or other special status, who purchase tickets a

specified period of time in advance, who travel to a required destination or who stay at a destination for a specified period of time.

Vetoed  
in Part

~~SECTION 1090bm. 71.04 (2) (c) of the statutes is created to read:~~

~~71.04 (2) (c) No deduction for any allowable entertainment, amusement, recreation or gift expenses is allowed under this section or under s. 71.01 (4) (a) 6m unless the substantiation requirements of section 274 (d) of the internal revenue code, as amended to December 31, 1980, are met.~~

SECTION 1090c. 71.04 (3) of the statutes is amended to read:

71.04 (3) Taxes other than special improvement taxes paid during the year upon the business or property from which the income taxed is derived, including therein taxes imposed by this state as income taxes, and taxes on all real property which is owned and held for business purposes whether income producing or not. Income taxes imposed by this state shall accrue for the purpose of this subsection only in the year in which such taxes are assessed. Sales and use taxes paid during the taxable year which under s. 71.043 (2) and (3) may be used to reduce a corporation's income or franchise tax shall not be deductible from gross income. Income, excess profits, war profits and capital stock taxes imposed by the federal government are not deductible from gross income. For taxable year 1981 and thereafter, real property taxes that are related to a definite period of time may be accrued ratably over that period by accrual basis taxpayers, and the windfall profit tax under section 4986 of the internal revenue code is not deductible from gross

Vetoed  
in Part

income. For the taxable year 1981 and thereafter, taxes imposed by this or any other state, the District of Columbia or a foreign country on or measured by net income, gross income, gross receipts or capital stock are not deductible. However, gross receipts taxes assessed in lieu of property taxes are deductible from gross income.

SECTION 1090d. 71.04 (4) (intro.) of the statutes is created to read:

71.04 (4) (intro.) Dividends received, as provided under pars. (a) and (b). If both pars. (a) and (b) apply to dividends received from the same corporation, those dividends may be deducted under only one of those paragraphs.

SECTION 1090e. 71.04 (15) (a) of the statutes is amended to read:

71.04 (15) (a) With the exception of sub. (2b), all provisions of this section relating to amortization or depreciation of depreciable property by corporations shall terminate as of the close of each corporation's 1971 taxable year for all purposes of the Wisconsin tax on or measured by net income, including but not limited to subs. (2a), (2c), (13) and (14). No Except as provided under sub. (2) (b) 4, no loss or deduction shall be allowed to any corporation under sub. (7) or (8), respectively, with respect to depreciable property in determining net income of the 1972 taxable year or taxable years thereafter unless the loss or deduction is allowed as a deduction under the internal revenue code for federal income tax purposes. With the exception of pollution abatement plants and equipment, waste treatment facilities and renewable energy resource systems deducted, amortized or depreciated under subs. (2b), (2g) and (16) and except for sub. (2) (b) 4 for all purposes of the Wisconsin corporation tax on or measured by net income of the 1972 taxable year and taxable years thereafter, the amount of depreciation or amortization on depreciable property allowable as a deduction from gross income shall be limited to the amount allowable as a deduction from gross income under the internal revenue code for federal income tax purposes, but no deduction for depreciation or amortization for depreciable property may exceed the Wisconsin "income tax cost" (basis) of depreciable property.

Vetoed  
in Part

~~SECTION 1090ea. 71.04 (15) (b) of the statutes is amended to read:~~

~~71.04 (15) (b) In this subsection, "internal revenue code" means such code as applicable to the determination of net income of the calendar year 1972 for federal income tax purposes. In determining the Wisconsin tax on or measured by net income of any year subsequent to 1972 except for the taxpayers listed under par. (bm) 1 to 3, "internal~~

revenue code" means such code as applicable to the determination of net income for such subsequent year for federal income tax purposes or as applicable to determination of net income of 1972 for federal income tax purposes, at the option of the corporation.

SECTION 1090eb. 71.04 (15) (bm) of the statutes is created to read:

71.04 (15) (bm) In this subsection, "internal revenue code" means that code in effect on December 31, 1980, for the following corporations:

1. Corporations defined under s. 76.02 (4), (5b) and (8) (a), (c) or (d).
2. Corporations defined under s. 76.38 (1) (b) except for specialized common carriers.
3. Corporations that own residential rental real property but only in respect to that property. In respect to other property owned by such corporations, "internal revenue code" has the meaning under par. (b).

SECTION 1090ec. 71.04 (15) (c) of the statutes is amended to read:

71.04 (15) (c) Effective as of the first day of each corporation's 1972 taxable year and, for taxpayers listed under par. (bm) 1 to 3, ending on December 31, 1980, the Wisconsin adjusted basis for all depreciable property subject to depreciation or amortization under the internal revenue code, except pollution abatement plants or equipment deducted, amortized or depreciated pursuant to sub. (2b), shall be identical to the adjusted basis of such property on such date for federal income tax purposes under such code. As of the end of each corporation's 1971 taxable year, the net difference between the Wisconsin and federal adjusted basis of all depreciable property subject to depreciation or amortization for federal income tax purposes, except pollution abatement plants and equipment covered by sub. (2b), shall be aggregated. If the Wisconsin adjusted basis of the aggregate of such property exceeds the federal adjusted basis of such aggregate, one-fifth of such difference may be deducted from gross income to arrive at net income (before apportionment, if any) for Wisconsin income and franchise tax purposes in respect of the income year 1972 and the next succeeding 4 income years. If the federal adjusted basis of the aggregate of such property exceeds the Wisconsin adjusted basis of such aggregate, the other allowable deductions from gross income to arrive at net income (before apportionment, if any) shall be reduced by one-fifth of such difference with respect to the income year 1972 and each of the next succeeding 4 income years, and such reduction shall be made regardless of any disposition made of the underlying depreciable property. If a corporation is dissolved, or merged into or consolidated with another corporation before the termination of the 5-year period, any remaining balance of the net difference between the Wisconsin and federal adjusted basis of such depreciable property as of the end of such corporation's 1971 taxable year shall be deducted from gross income or used to reduce otherwise allowable deductions from gross income, as the case may be, in the year of dissolution, merger or consolidation.

SECTION 1090ed. 71.04 (15) (e) of the statutes is amended to read:

71.04 (15) (e) With respect to depreciable property disposed of in beginning with a corporation's taxable year 1973 or thereafter and, for taxpayers listed under par. (bm) 1 to 3, ending on December 31, 1980, and difference in adjusted basis for purposes of the federal income tax and the Wisconsin tax on or measured by net income, apart from any difference amortized pursuant to par. (c), shall be taken into account in determining net income in the year of disposition.

SECTION 1090edm. 71.04 (15) (em) of the statutes is created to read:

71.04 (15) (em) In respect to corporations listed under par. (bm) 1 to 3, for taxable years ending after December 31, 1980, with respect to the sale, exchange, abandonment or other disposition of property in which gain or loss is recognized by the owner of the property, the Wisconsin adjusted basis of the property shall be determined under this subsection and under the applicable provisions of this chapter.

SECTION 1090ee. 71.04 (15) (f) of the statutes is amended to read:

~~71.04 (15) (f) With respect to any corporation which has, in any year prior to deriving income with a Wisconsin situs for Wisconsin income or franchise tax purposes, taken depreciation or amortization of depreciable property for federal income tax purposes, the federal adjusted basis of its depreciable property as of the beginning of the income year in which such corporation begins operations in this state shall be the Wisconsin adjusted basis of such property. For taxable years ending before January 1, 1981, with respect to any corporation listed under par. (bm) 1 to 3 which has, in any year prior to deriving income with a Wisconsin situs for Wisconsin income or franchise tax purposes, taken depreciation or amortization of depreciable property for federal income tax purposes, the federal adjusted basis of its depreciable property as of the beginning of the income year in which such corporation begins operations in this state shall be the Wisconsin adjusted basis of such property.~~

SECTION 1090eg. 71.04 (15) (fm) of the statutes is created to read:

~~71.04 (15) (fm) For taxable years ending after December 31, 1980, with respect to any corporation listed under par. (bm) 1 to 3 that has, in any year before it derives any income with a Wisconsin situs for Wisconsin income tax purposes, taken depreciation or amortization of depreciable property, the Wisconsin adjusted basis of that property, as of the beginning of the income year in which the corporation begins operations in this state shall be the adjusted basis that would have been computed under the depreciation provisions of the internal revenue code in effect on December 31, 1980.~~

\* SECTION 1090f. 71.04 (15) (h) of the statutes is created to read:

71.04 (15) (h) Any portion of the purchase price of property which is treated as interest under section 483 of the internal revenue code shall be deductible from gross income as interest and shall reduce the cost basis of the property.

SECTION 1090fa. 71.05 (1) (a) 2 of the statutes is amended to read:

~~71.05 (1) (a) 2. Any For taxable years prior to 1982, any amounts deducted under section 1202 of the internal revenue code (relating to the deduction for capital gains). For taxable year 1982, two-thirds of any amounts deducted under section 1202 of the internal revenue code in effect on December 31, 1980. For taxable year 1983, one-third of any amounts deducted under section 1202 of the internal revenue code in effect on December 31, 1980. For taxable year 1984 and thereafter, none of the amounts deducted under section 1202 of the internal revenue code in effect on December 31, 1980. However, if within 18 months after realizing the gain the taxpayer does not invest the total amount of the gain minus any federal or Wisconsin income taxes paid on the gain in real property located in this state, in tangible personal property located in this state and used in a trade or business or in stocks or bonds issued by a business that employs more than 250 persons in this state or has a commercial domicile in this state or if the taxpayer does not hold that real property, personal property, stocks or bonds for one year or more, all of the gain shall be added back under this section.~~

Vetoed  
in Part

\* SECTION 1090fb. 71.05 (1) (a) 5 of the statutes is amended to read:

71.05 (1) (a) 5. ~~Gain~~ For taxable years prior to 1982, gain on the sale or exchange of a principal residence, excluded under section 1034 (a) of the internal revenue code, if the "new residence" referred to therein is located outside this state.

\* SECTION 1090fc. 71.05 (1) (a) 6 of the statutes is amended to read:

71.05 (1) (a) 6. Gain on the involuntary conversion of Wisconsin property by nonresident individuals, estates or trusts excluded under section 1033 of the internal revenue code if the replacement property is located outside this state. In the case of net long-term capital gains, 80 % is the amount to be added back under this subdivision for taxable year 1982, 60 % is the amount to be added back under this subdivision for taxable year 1983, and 40 % is the amount to be added back under this subdivision for taxable year 1984 and thereafter.

\* This SECTION listed as disapproved in governor's veto message but text not vetoed. See 70 O.A.G. 189 (1981).

\* SECTION 1090fe. 71.05 (1) (a) 13 of the statutes is amended to read:

71.05 (1) (a) 13. Net gain on the sale or exchange of capital assets with Wisconsin situs under s. 71.07 (1) by a nonresident alien to the extent not included in federal adjusted gross income or federal taxable income whether or not subject to tax under the internal revenue code, except that for taxable year 1982, 80% of the net long-term gain shall be added back under this subdivision, for taxable year 1983, 60% of the net long-term gain shall be added back under this subdivision, and for taxable years 1984 and thereafter, 40% of the net long-term gain shall be added back under this subdivision.

~~SECTION 1090k. 71.05 (1) (a) 14 of the statutes is created to read:~~

~~71.05 (1) (a) 14. For taxable year 1981 and thereafter, expenses allowable under the internal revenue code, as follows:~~

~~a. The expenses with respect to an activity, except admissions to an organized athletic event that takes place in Wisconsin, which is of a type generally considered to constitute entertainment, amusement, or recreation, or with respect to a facility used in connection with these activities, except to the extent that food, beverage and facility expenses are allowed as a deduction under subd. 14. b, c or d.~~

~~b. One-half of the expenses for food and beverages furnished to any individual under circumstances which (taking into account the surroundings in which furnished, the taxpayer's trade, business or income-producing activity and the relationship to the trade, business or activity of the persons to whom the food and beverages are furnished) are of a type generally considered to be conducive to a business discussion.~~

~~c. One-half of the portion of expenses for food and beverages that the taxpayer establishes to be directly related to, or, in the case of the furnishing of food and beverages directly preceding or following a substantial and bona fide business discussion (including business meetings at a convention or otherwise), to be associated with, the active conduct of the taxpayer's trade, business or activity described in section 212 of the internal revenue code.~~

~~d. One-half of the expenses with respect to a facility on the business premises of an employer which is used primarily in connection with furnishing food and beverages under circumstances described in subd. 14. b or c.~~

~~e. The amount of expenses of regularly scheduled commercial air transportation allowed under section 162 or 212 of the internal revenue code which exceeds the lowest priced generally available fare at the time of travel for regularly scheduled flights to and from the destination. A fare will not be considered generally available if it is available only to individuals who fly on standby or other special status, who purchase tickets a specified period of time in advance, who travel to a required destination or who stay at a destination for a specified period of time.~~

\* SECTION 1090km. 71.05 (1) (j) of the statutes is amended to read:

71.05 (1) (j) ~~With respect to For~~ taxable years beginning after December 31, 1969, and ending with taxable year 1981, there may be deducted from federal adjusted gross income the amount of any long-term capital loss or long-term capital loss carry-forward permissible as a deduction under the internal revenue code immediately prior to, but not after, adoption of the federal tax reform act of 1969.

SECTION 1090kmm. 71.05 (2m) of the statutes is created to read:

71.05 (2m) TRANSITIONAL ADJUSTMENTS; LOSS CARRY-FORWARDS. For taxable year 1982 and thereafter, the amount of any long-term capital loss carry-forward from any taxable year prior to the 1982 taxable year which is not allowed as a deduction under section 1211 (b) of the internal revenue code may be deducted, subject to the annual limitations provided in section 1211 (b) of the internal revenue code. A deduction is authorized under this subsection only when the amount of capital loss or capital loss carry-forward deducted in determining federal adjusted gross income for the taxable year

\* This SECTION listed as disapproved in governor's veto message but text not vetoed. See 70 O.A.G. 189 (1981).



is less than the limitations provided in s. 1211 (b) of the internal revenue code. For married persons, the annual limitation referred to in this subsection shall be determined under the separate return provisions of section 1211 (b) (2) of the internal revenue code.

SECTION 1090kn. 71.07 (7) (b) 2 of the statutes is amended to read:

71.07 (7) (b) 2. Any Except as provided in par. (d), any other trust created by contract, declaration of trust or implication of law shall be considered resident at the place where the trust is being administered except as provided in par. (d). The following trusts shall be considered to be administered in the state of domicile of the corporate trustee of the trust at any time that the grantor of the trust is not a resident of this state:

a. Trusts that have any assets invested in a common trust fund, as defined in section 584 of the internal revenue code, maintained by a bank or trust company domiciled in this state that is a member of the same affiliated group, as defined in section 1504 of the internal revenue code, as the corporate trustee.

b. Trusts the assets of which in whole or in part are managed, or about which investment decisions are made, by a corporation domiciled in this state if that corporation and the corporate trustee are members of the same affiliated group, as defined in section 1504 of the internal revenue code.

SECTION 1090ms. 71.09 (2g) (intro.) of the statutes is amended to read:

71.09 (2g) (intro.) The taxes to be assessed, levied and collected upon taxable incomes of corporations for the calendar year ~~years~~ 1972 to 1980 and corresponding fiscal years ~~and for calendar and fiscal years thereafter~~ shall be computed at the following rates:

SECTION 1090mt. 71.09 (2h) of the statutes is created to read:

71.09 (2h) The taxes to be assessed, levied and collected upon taxable incomes of corporations for the calendar year 1981 and corresponding fiscal years and for calendar and fiscal years thereafter shall be computed at the rate of 7.9%.

SECTION 1090mu. 71.09 (2m) (intro.) of the statutes is amended to read:

71.09 (2m) (intro.) The corporation franchise tax imposed under s. 71.01 (2) and measured by net income of the calendar year ~~years~~ 1972 to 1980 and corresponding fiscal years ~~and calendar and fiscal years thereafter~~ shall be computed at the following rates:

SECTION 1090mv. 71.09 (2n) of the statutes is created to read:

71.09 (2n) The corporation franchise tax imposed under s. 71.01 (2) and measured by net income of the calendar year 1981 and corresponding fiscal years and calendar and fiscal years thereafter shall be computed at the rate of 7.9%.

SECTION 1090n. 71.09 (5) (a) of the statutes is amended to read:

71.09 (5) (a) In assessing taxes interest shall be added to such taxes at ~~9%~~ 12% per year from the date on which such taxes if originally assessed would have become delinquent if unpaid, to the date on which such taxes when subsequently assessed will become delinquent if unpaid.

SECTION 1090o. 71.09 (6p) (d) 1 of the statutes is amended to read:

71.09 (6p) (d) 1. With respect to persons who change their domicile into or from this state during the taxable year, personal exemptions shall be limited to such fraction of the amount so determined that the ~~time~~ number of months of domicile within this state, including any month during which the person is domiciled in this state for at least 15 days, is of the total time during number of months in the taxable year, but the total deduction for all personal exemptions shall not be less than \$5.

SECTION 1091. 71.09 (7) (a) 1 of the statutes is amended to read:

71.09 (7) (a) 1. "Income" means the sum of adjusted gross income as defined in s. 71.02 (2) (e), maintenance payments, support money, cash public assistance and relief (not including credit granted under this subsection), the gross amount of any pension or

annuity (including railroad retirement benefits, all payments received under the federal social security act and veterans disability pensions), nontaxable interest received from the federal government or any of its instrumentalities, worker's compensation, unemployment compensation, the gross amount of "loss of time" insurance and compensation and other cash benefits received from the United States for past or present service in the armed forces, and scholarship and fellowship gifts or income, all regardless of the fact that they may be excluded from adjusted gross income as defined in s. 71.02 (2) (e). Depreciation deducted in determining Wisconsin adjusted gross income as defined in s. 71.02 (2) (e) shall be added to "income". "Income" does not include gifts from natural persons, cash reimbursement payments made under title XX of the federal social security act, or surplus food or other relief in kind supplied by a governmental agency.

SECTION 1092. 71.09 (7) (a) 8 of the statutes is amended to read:

71.09 (7) (a) 8. "Property taxes accrued" means property taxes, exclusive of special assessments, delinquent interest and charges for service, levied on a claimant's homestead in 1964 or any calendar year thereafter under ch. 70, less the tax credit, if any, afforded in respect of such property by s. 79.10 (3). If a homestead is owned by 2 or more persons or entities as joint tenants or tenants in common and one or more such persons or entities is not a member of claimant's household, "property taxes accrued" is that part of property taxes levied on such homestead (reduced by the tax credit under s. 79.10 (3)) as reflects the ownership percentage of the claimant and the claimant's household. For purposes of this paragraph property taxes are "levied" when the tax roll is delivered to the local treasurer with the warrant for collection. If a homestead is sold during the calendar year of the levy the "property taxes accrued" for the seller and buyer shall be the amount of the tax levy prorated to each in the closing agreement pertaining to the sale of the homestead or, if not so provided for in the closing agreement, the tax levy shall be prorated between seller and buyer in proportion to months of their respective ownership, provided that the seller and buyer occupy the homestead during the periods of their respective ownership. If a household owns and occupies 2 or more homesteads in the same calendar year "property taxes accrued" shall be the sum of the prorated taxes attributable to the household for each of such homesteads. If the household owns and occupies the homestead for part of the calendar year and rents a homestead for part of the calendar year, it may include both the proration of taxes on the homestead owned and "rent constituting property taxes accrued" with respect to the months the homestead is rented, in computing the amount of the claim under pars. (gn) to ~~(gp)~~ (gq). If a homestead is an integral part of a larger unit such as a farm, or a multipurpose or multidwelling building, property taxes accrued shall be that percentage of the total property taxes accrued as the value of the homestead is of the total value, except that the claimant may use the total property taxes accrued for the larger unit, but not exceeding 120 acres of land, except as the limitations of par. (h) apply. For claims for 1967 and subsequent years, monthly parking permit fees collected under s. 66.058 (3) (c) shall be considered property taxes.

SECTION 1092c. 71.09 (7) (b) of the statutes is amended to read:

71.09 (7) (b) The right to file claim under this subsection shall be personal to the claimant and shall not survive ~~his the claimant's~~ death, but such right may be exercised on behalf of a claimant by ~~his the claimant's~~ legal guardian or attorney-in-fact. When a claimant dies after having filed a timely claim the amount thereof shall be disbursed to ~~another member of the household as determined by the secretary of revenue. If the claimant was the only member of his household, the claim may be paid to his executor or administrator, but if neither is appointed and qualified within 2 years of the filing of the claim, the amount of the claim shall escheat to the state as provided under s. 71.10 (10)~~ (i).

SECTION 1093. 71.09 (7) (gp) (intro.) of the statutes is amended to read:

71.09 (7) (gp) (intro.) The amount of any claim filed in 1980 or 1981 and based upon property taxes accrued or rent constituting property taxes accrued in 1979, ~~or claims filed in later calendar years based upon property taxes accrued or rent constituting property taxes accrued in the preceding calendar year~~ or 1980, respectively, shall be limited as follows:

SECTION 1094. 71.09 (7) (gq) of the statutes is created to read:

71.09 (7) (gq) The amount of any claim filed in 1982 or thereafter and based on property taxes accrued or rent constituting property taxes accrued during the previous year is limited as follows:

1. If the household income was \$6,000 or less in the year to which the claim relates, the claim is limited to 80% of the property taxes accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead.

2. If the household income was more than \$6,000 in the year to which the claim relates, the claim is limited to 80% of the amount by which the property taxes accrued or rent constituting property taxes accrued or both in that year on the claimant's homestead exceeds 12.5% of the household income exceeding \$6,000.

3. No credit may be allowed if the household income of a claimant exceeds \$14,000.

SECTION 1094h. 71.09 (7) (i) of the statutes is amended to read:

Vetoed in Part 71.09 (7) (i) In administering this subsection, the department of revenue shall make available suitable forms with instructions for claimants, including a form which may be included with, or as a part of, the individual income tax blank ~~and shall be included with the short form of that blank~~. In preparing homestead credit forms for the taxable year 1977 and thereafter, the department of revenue shall provide a space for identification of the county and city, village or town in which the claimant resides.

Vetoed in Part \*SECTION 1094m. 71.09 (11) (a) 6. a and b and (b) ~~(intro.)~~ 1 and 2 of the statutes are amended to read:

71.09 (11) (a) 6. a. For an individual, means income as defined under sub. (7) (a) 1, plus nonfarm business losses, less the first \$7,500 of nonfarm wages, tips and salaries earned by the household \$20,000 of depreciation expenses.

b. For a corporate claimant, except a tax-option corporation, means the same as for an individual claimant except that income as defined under s. 71.02 (1) (a) plus any farm business loss carry forward allowed under s. 71.06 shall be included instead of income under sub. (7) (a) 1 and "income" of a corporate claimant shall include all household income of each of its corporate shareholders of record at the end of its income year, plus nonfarm business losses and depreciation expenses over \$20,000 of the corporate claimant.

Vetoed in Part \*~~(b) (intro.) The Except as provided in par. (bm), the amount of any claim filed in 1978 and based upon property taxes accrued in 1977, or claims filed in later calendar years based upon property taxes accrued in the preceding calendar year shall be determined as follows:~~

1. The amount of excessive property taxes shall be computed by subtracting from property taxes accrued the amount of ~~5%~~ 7% of the 2nd \$5,000 of household income plus ~~7%~~ 9% of the 3rd \$5,000 of household income plus ~~9%~~ 11% of the 4th \$5,000 of household income plus ~~15%~~ 17% of the 5th \$5,000 of household income plus ~~25%~~ 27% of the 6th \$5,000 of household income plus ~~35%~~ 37% of household income in excess of \$30,000. The maximum excessive property tax which can be utilized is \$6,000.

2. The credit allowed under this subsection shall be limited to 90% of the first \$2,000 of excessive property taxes plus 70% of the 2nd \$2,000 of excessive property taxes plus 50% of the 3rd \$2,000 of excessive property taxes. The maximum credit shall not exceed \$4,200 for any claimant. The credit for any claimant shall be the greater of either the

\* Governor attempted subsequent removal of veto of the introductory paragraph. See 70 O.A.G. 154 (1981); see also 1981 Laws, Chap. 93, s. 137.

credit as calculated under this subsection as it exists at the end of the year for which the claim is filed or as it existed on the date on which the farmland became subject to a current agreement under subch. II or III of ch. 91 or as it existed on the date on which the farmland became subject to a certified exclusive agricultural use zoning ordinance under subch. V of ch. 91, using for such calculations household income and property taxes accrued of the year for which the claim is filed.

\* SECTION 1094a. 71.09 (11) (bm) of the statutes is created to read:

71.09 (11) (bm) If the farmland is subject to a certified ordinance under subch. V of ch. 91 in effect at the close of the year for which the credit is claimed, and farming operations have complied with s. 91.13 (8) (d), the amount of any claim is the greater of 10% of property taxes accrued or the amount determined under par. (b). This paragraph does not prevent a claim under par. (b) if farming operations have not complied with s. 91.13 (8) (d).

Vetoed  
in Part

SECTION 1097a. 71.09 (12m) of the statutes is created to read:

71.09 (12m) (a) For taxable year 1982 and thereafter, any natural person may credit against income taxes otherwise due an amount equal to 30% of the federal earned income credit for which the person is eligible for the taxable year under section 43 of the internal revenue code as amended to December 31, 1980.

(b) Married persons may divide the total amount of the credit under this subsection between them as they choose, providing the aggregate claimed by a husband and wife does not exceed an amount equal to 30% of the federal earned income credit for which the couple is eligible for the taxable year under section 43 of the internal revenue code as amended to December 31, 1980.

**VETOED**

(c) No credit may be allowed under this subsection for married persons unless the husband and wife report their income on the same income tax return for the taxable year.

(d) If the credit under this subsection exceeds the income taxes otherwise due on the claimant's income or if there are no Wisconsin income taxes due on the claimant's income, the amount of the claim not used as an offset against income taxes shall be certified by the department of revenue to the department of administration for payment to the claimant by check. No interest shall be allowed on any payment made to a claimant under this subsection.

(e) Part-year residents and nonresidents of this state shall not be eligible for the credit under this subsection.

SECTION 1097b. 71.09 (13) (a) of the statutes is amended to read:

71.09 (13) (a) Whenever an audit of any claim filed under sub. (7), (11) or (12) indicates that an incorrect claim was filed, the department of revenue shall make a determination of the correct amount and notify the claimant of the determination and the reasons therefor. Notice of the determination shall be given to the claimant within 4 years of the last day prescribed by law for filing the claim. If the claim has been paid, or credited against income taxes otherwise payable, the credit shall be reduced or canceled, and the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed and the assessment shall bear interest at 9% 12% per year from the due date of the claim. Any person feeling aggrieved by the determination may,

\* Governor subsequently attempted partial veto of this paragraph as follows:

71.09 (11) (bm) If the farmland is subject to a certified ordinance under subch. V of ch. 91 in effect at the close of the year for which the credit is claimed, and farming operations have complied with s. 91.13 (8) (d), the amount of any claim is the greater of 10% of property taxes accrued or the amount determined under par. (b). This paragraph does not prevent a claim under par. (b) if farming operations have not complied with s. 91.13 (8) (d).

Vetoed  
in Part

See 70 O.A.G. 154 (1981); see also 1981 Laws, Chap 93, s. 138.

within 60 days after receipt, petition the department for redetermination. The department shall make a redetermination on the petition within 6 months after it is filed and notify the claimant. If no timely petition for redetermination is filed with the department, its determination shall be final and conclusive.

SECTION 1097c. 71.09 (13) (c) of the statutes is repealed.

SECTION 1097e. 71.09 (13) (cm) of the statutes is created to read:

71.09 (13) (cm) In any case in which it is determined that a claim under sub. (7), (11), (12) or (12m) is or was false or excessive and was filed with fraudulent intent, the claim shall be disallowed in full and, if the claim has been paid or a credit has been allowed against income taxes otherwise payable, the credit shall be canceled and the amount paid may be recovered by assessment as income taxes are assessed and the assessment shall bear interest from the due date of the claim, until refunded or paid, at the rate of 1.5% per month. The claimant in such case, and any person who assisted in the preparation or filing of the false or excessive claim or supplied information upon which the false or excessive claim was prepared, with fraudulent intent, is guilty of a felony and may be fined not to exceed \$10,000 or imprisoned not to exceed 5 years or both, together with the cost of prosecution. In any case in which it is determined that a claim is or was excessive and was negligently prepared, 10% of the corrected claim shall be disallowed and, if the claim has been paid or credited against income taxes otherwise payable, the credit shall be reduced or canceled and the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed and the assessment shall bear interest at the rate of 1.5% per month from the due date of the claim.

SECTION 1097h. 71.10 (2) (d) of the statutes is created to read:

71.10 (2) (d) For purposes of this subsection, "gross income" means all income, from whatever source derived and in whatever form realized, whether in money, property or services, which is not exempt from Wisconsin income taxes. Gross income includes, but is not limited to, the following items: compensation for services, including salaries, wages and fees, commissions and similar items; gross income derived from business; gains derived from dealings in property; interest; rents; royalties; dividends; alimony and separate maintenance payments; annuities; income from life insurance and endowment contracts; pensions; income from discharge of indebtedness; distributive shares of partnership gross income; income in respect of a decedent; and income from an interest in an estate or trust. Gross income from a business or farm consists of the total gross receipts without reduction for cost of goods sold, expenses or any other amounts. The gross rental amounts received from rental properties are included in gross income without reduction for expenses or any other amounts. Gross income from the sale of securities, property or other assets consists of the gross selling price without reduction for the cost of the assets, expenses of sale or any other amounts. Gross income from an annuity, retirement plan or profit sharing plan consists of the gross amount received without reduction for the employee's contribution to the annuity or plan.

SECTION 1097L. 71.10 (5) (a) of the statutes is amended to read:

71.10 (5) (a) In the case of a corporation required to file a return, when sufficient reason is shown, the department of revenue may on written request allow such further time for making and delivering ~~such the~~ return as is considered necessary, not to exceed 30 days ~~or in the case of a cooperative filing a return or a domestic international sales corporation, as defined in s. 71.11 (7r), not to exceed 6 months.~~ Any extension of time granted by law or by the internal revenue service for the filing of corresponding federal returns shall extend the time for filing under this chapter if a copy of any extension requested of the internal revenue service is filed with the return ~~in the case of an automatic 3-month extension, and if a copy of any additional extension granted by the internal revenue service is submitted to the department within 10 days of its receipt by the taxpayer.~~ Termination of an automatic extension by the internal revenue service, or its refusal to grant such automatic extension, shall similarly require that any returns due under this chapter are due on or before the date for termination fixed by the internal revenue service.

Except as provided in s. 71.22 (9) (b) income taxes payable upon the filing of the tax return shall not become delinquent during such extension period, but shall be subject to interest at the rate of ~~9%~~ 12% per year during such period.

SECTION 1097s. 71.10 (5) (b) of the statutes is amended to read:

71.10 (5) (b) In the case of returns of natural persons and fiduciaries which require a statement of amounts or information contained or entered on a corresponding return under the internal revenue code, such returns shall be filed within the time fixed under said code for the filing of the corresponding federal return. Any extension of time granted by law or by the internal revenue service for the filing of such corresponding federal return shall extend the time for filing under this chapter provided a copy of any extension granted by the internal revenue service is filed with the return under this chapter or at such earlier date as the department by rule prescribes. Extensions for periods of 30 days may also be granted by the department in any case for cause satisfactory to it. Taxes payable upon the filing of the return shall not become delinquent during the period of an extension but shall be subject to interest at the rate of ~~9%~~ 12% per year during such period.

SECTION 1098. 71.10 (7) of the statutes is repealed.

SECTION 1099. 71.10 (10) (a) of the statutes is amended to read:

71.10 (10) (a) Except as provided in ss. 46.255, 71.04 (15), 71.105 and 71.11 (21) (d) and (g) 2, the provisions for refunds and credits provided in this subsection shall be the only method for the filing and review of claims for refund of income and surtaxes, and no person may bring any action or proceeding for the recovery of such taxes other than as provided in this subsection.

SECTION 1099m. 71.10 (10) (bn) of the statutes is amended to read:

71.10 (10) (bn) With respect to income taxes, ~~and franchise taxes and surtaxes assessed or based on incomes received in the calendar year 1962 or corresponding fiscal year, and subsequent years, except as otherwise provided in par. (e), sub. (11) and ss. 71.04 (15) (d) and s. 71.11 (21) (g) 2, refunds may be made if the claim therefor is filed within 4 years of the unextended date under this section on which the tax return was filed, but for purposes of this paragraph a return filed before the last day prescribed by law for the filing of the return shall be considered as filed on such last day and no refund may be made of any income taxes withheld and paid or declared and paid with respect to which a tax return was not filed when due unless claim therefor is filed within 4 years of the date such return was due.~~

SECTION 1100. 71.10 (10) (h) of the statutes is created to read:

71.10 (10) (h) All refunds under this chapter are subject to attachment under ss. 46.255 and 71.105.

SECTION 1100m. 71.10 (10) (i) of the statutes is created to read:

71.10 (10) (i) If an income tax refund or tax credit is payable to a person who dies, the department shall pay the refund or credit to the decedent's personal representative. If there is no personal representative, the department shall pay the refund or credit either to a surviving relative, giving preference to relatives in the following order: surviving spouse, child, parent, brother or sister, or to a creditor of the decedent, as determined by the department. If no claim is made for the amount within 2 years of the due date of the return or claim or of the date of filing, whichever is later, the amount escheats to this state.

SECTION 1101. 71.105 of the statutes is created to read:

**71.105 Refund setoff to debts owed the state.** (1) In this section:

(a) "Debt" means any amount owed to a state agency that has been reduced to a judgment.

(b) "Debtor" means any person owing a debt to a state agency.  
(c) "Department" means the department of revenue.  
(d) "Refund" means the excess amount by which any payments, refundable credits or both exceed a debtor's Wisconsin tax liability or any other liability owed to the department.

(e) "State agency" has the meaning set forth under s. 20.001 (1).

(2) A state agency may, and the department of health and social services in respect to delinquent child support payments shall, certify to the department for setoff any properly identified debt exceeding \$20. At least 30 days prior to certification each debtor shall be sent a notice by the state agency of its intent to certify the debt to the department for setoff and of the debtor's right of appeal. At the time of certification, the certifying state agency shall furnish the social security number of individual debtors and the federal employer identification number of other debtors.

(3) In administering this section the department shall first check with the state agency certifying the debt to determine whether the debt has been collected by other means. If the debt remains uncollected the department of revenue shall setoff any debt or other amount owed to the department, regardless of the origin of the debt or of the amount, its nature or its date. If after the setoff there remains a refund in excess of \$10, the department shall set off the remaining refund against certified debts of other state agencies. If more than one certified debt exists for any debtor, the refund shall be first set off against the earliest debt certified. When all debts have been satisfied in order based on the date certified, any remaining refund shall be refunded to the debtor by the department.

(4) Not less than 30 days after the close of each calendar quarter, the department shall settle with each state agency that has certified a debt. Each settlement shall note the opening balance of debts certified, any additions or deletions, amounts set off and the ending balance at the close of the settlement period.

(5) At the time of each settlement, each state agency shall be charged, as administration expenses, 10% of the amount set off for the state agency. The amounts charged shall be credited to the department's appropriation under s. 20.566 (1) (a). Annually on or before October 1, the department shall review its costs incurred during the previous fiscal year in administering state agency setoffs and shall adjust its subsequent charges to each state agency to reflect that experience.

(6) If a debt certified by a state agency to the department has an unpaid balance 6 years after the date certified, the debt shall not be eligible for setoff unless the state agency recertifies the debt to the department.

(7) Any state agency wishing to certify debts to the department shall enter into a written agreement with the department prior to any certification of debt. Any certification of debts by a state agency or changes to certified debts shall be in a manner and form prescribed by the department. The secretary of revenue shall be the final authority in the resolution of any interagency disputes in regard to certification of debts. If a refund is adjusted after a setoff, the department may readjust any erroneous settlement with a certifying state agency.

(8) Information relative to changes to any debt certified shall be exchanged promptly by each agency and the department setoff of refunds against debts certified by agencies and any reports of the setoff to certifying state agencies is not a violation of ss. 71.11 (44), 72.06, 77.61 (5), 78.80 (3) and 139.38 (6).

SECTION 1101a. 71.11 (8) (b) of the statutes is amended to read:

71.11 (8) (b) In computing a corporation's taxable income for any taxable year, commencing after December 31, 1953, if such computation is under a method of accounting different from the method under which the taxpayer's taxable income for the preceding taxable year was computed, then there shall be taken into account those adjustments which are determined to be necessary solely by reason of the change in order to prevent amounts from being duplicated or omitted, except there shall not be taken into account

any adjustment in respect of any taxable year to which this section does not apply, ~~and except that this rule shall not modify or change the rule as to federal income and excess profits taxes set forth in s. 71.02 (1) (c).~~

~~SECTION 1101b. 71.11 (19) (d) of the statutes is created to read:  
71.11 (19) (d) No action or proceeding, except a petition for redetermination under s. 71.12, may be brought by a corporation against this state to contest any assessment of a tax under s. 71.01 (5) unless the taxpayer first pays to this state the amount of tax assessed. If the taxpayer prevails in an action or proceeding, this state shall settle with the taxpayer, including payment of interest at 9% per year on the amount of the money paid from the date of payment until the date of judgment.~~

Vetoed  
in Part

SECTION 1101e. 71.11 (40m) of the statutes is created to read:

71.11 (40m) (a) If any person, including an officer of a corporation, required by law to file a return fails to file the return within 60 days after the time required and refuses to file the return within 30 days after a request by the department to do so, the circuit court, upon petition by the department, shall issue a writ of mandamus requiring that person to file a return. Any person upon whom a writ has been served shall make return to the writ within 20 days after the service of the writ. The petition shall be heard and determined on the return day or on a later date that the court fixes, having regard for the speediest possible determination of the case consistent with the rights of the parties.

(b) The department shall file a petition for a writ of mandamus in a circuit court for the county in which the respondent in the action resides.

(c) Filing a return after the time prescribed by law shall not relieve any person, including an officer of a corporation, from any penalties whether or not the department filed a petition for a writ of mandamus under this subsection.

SECTION 1101s. 71.11 (44) (gm) of the statutes is created to read:

71.11 (44) (gm) The department of revenue may supply the address of a debtor to an agency certifying a debt of that debtor under s. 71.105.

SECTION 1101t. 71.11 (50) of the statutes is created to read:

71.11 (50) All nondelinquent payments of additional amounts owed shall be applied in the following order: penalties, interest, tax principal.

SECTION 1102a. 71.12 (1) (a) of the statutes is amended to read:

71.12 (1) (a) Any ~~Except for refunds set off under s. 71.105 in respect to which appeal is to the agency to which the debt is owed and except for refunds set off under s. 46.255 in respect to which appeal is to the department of health and social services,~~ any person feeling aggrieved by a notice of additional assessment, refund, or notice of denial of refund may, within 60 days after receipt of the notice, petition the department of revenue for redetermination. The department shall make a redetermination on the petition within 6 months after it is filed.

SECTION 1102b. 71.13 (1) (b) of the statutes is amended to read:

71.13 (1) (b) The department shall provide by rule for reduction of interest under par. (a) to ~~9%~~ 12% per year in stated instances wherein the secretary of revenue determines reduction fair and equitable.

SECTION 1102c. 71.13 (2m) of the statutes is created to read:

71.13 (2m) If any person liable to pay any income or franchise tax neglects, fails or refuses to pay the tax, the amount, including any interest, addition to tax, penalty or costs, shall be a perfected lien in favor of the department of revenue upon all property and rights to property. The lien is effective at the time taxes are due or at the time an assessment is made and shall continue until the liability for the amount to be paid or for the amount so assessed is satisfied. The perfected lien does not give the department of revenue priority



over lienholders, mortgagees, purchasers for value, judgment creditors and pledges whose interests have been recorded before the department's lien is recorded.

SECTION 1102d. 71.13 (3) (a) and (b) of the statutes are amended to read:

71.13 (3) (a) If any income or franchise tax ~~be is~~ not paid ~~within 30 days after the same becomes delinquent when due,~~ the department of revenue shall issue a warrant to the sheriff of any county of the state commanding ~~him~~ the sheriff to levy upon and sell ~~sufficient enough~~ of the taxpayer's real and personal property found within ~~his~~ the county to pay ~~such~~ the tax with the penalties, interest and costs, and to proceed upon ~~the same in all respects and property~~ in the same manner as upon an execution against property issued out of a court of record, and to return ~~such~~ the warrant to the department and pay to it the money collected, or ~~such~~ the part thereof as may be of it that is necessary to pay ~~such~~ the tax, penalties, interest and costs, within 60 days after the receipt of ~~such~~ the warrant, and deliver the balance, if any, after deduction of lawful charges, to the taxpayer.

(b) The sheriff shall, within 5 days after the receipt of the warrant, file with the clerk of the circuit court of his or her county a copy of ~~such~~ the warrant, unless the taxpayer makes satisfactory arrangements for payment with the department, in which case, the sheriff shall, at the direction of the department, return ~~such~~ the warrant to it. The clerk shall docket the warrant as required by s. 806.11, and upon docketing the amount of ~~such~~ the warrant, together with interest required by sub. (1), shall be considered in all respects as a final judgment ~~creating a perfected lien upon the taxpayer's right, title and interest in all of the real and personal property of the taxpayer against whom it is issued in the county where the warrant or duplicate copy of the warrant is docketed. Such perfected lien shall not give the state priority over preexisting lienholders.~~ The clerk of circuit court shall accept, file and docket ~~such~~ the warrant without prepayment of any fee, but the clerk shall submit a statement of the proper fee semiannually to the department covering the periods from January 1 to June 30 and July 1 to December 31. The fees shall then be paid by the state as provided by par. (g), but the fees provided by s. 59.42 (8) for filing and docketing such warrants, and a filing fee of \$1 for filing satisfactions of such warrants, shall be added to the amount of the warrant and collected from the taxpayer when satisfaction or release is presented for entry. In counties where the clerk is compensated otherwise than by salary the fees may be paid by the state as provided by par. (g) and added to the amount of the warrant and collected as provided in this paragraph. The sheriff shall be entitled to the same fees for executing upon such warrant as upon an execution against property issued out of a court of record, to be collected in the same manner. Upon the sale of any real estate the sheriff shall execute a deed of the same, and the taxpayer shall have the right to redeem the real estate as from a sale under an execution against property upon a judgment of a court of record.

SECTION 1102dm. 71.137 of the statutes is created to read:

**71.137 State agency debt agreements.** Upon request by a state agency, as defined under s. 20.001 (1), the department of revenue may enter into an agreement with individuals who owe debts to the state agency. With the consent of the debtor, the department of revenue may arrange with the debtor's employer for the withholding from the debtor's pay of a specified amount to be applied against the debt.

SECTION 1102e. 71.20 (2) of the statutes is amended to read:

71.20 (2) Prior to February 1, 1962, the department shall prepare, promulgate, and publish in the official state paper, without regard to the requirements of ch. 227, rules establishing withholding tables prepared on a weekly, biweekly, semimonthly, monthly, and daily or miscellaneous pay period basis. Those rules shall also provide instructions for withholding with respect to quarterly, semiannual and annual pay periods. Such tables shall be based upon the normal tax rates and upon any surtax applicable to the income of the calendar year 1962. Thereafter until December 31, 1982, the department shall from time to time similarly correct ~~such~~ the tables to reflect any changes in normal income tax

rates or changes in surtax. ~~Such rules shall also provide instructions for withholding with respect to quarterly, semiannual and annual pay periods. Such~~ The tables shall be extended to cover from zero to 10 withholding exemptions, shall assume that the payment of wages in each pay period will, when multiplied by the number of ~~such~~ pay periods in a year, reasonably reflect the annual wage of the employe from ~~such~~ the employer and shall be based on the further assumption that ~~such~~ the annual wage should be reduced for allowable deductions from gross income. It is within the discretion of the department to determine the length of ~~such~~ the tables and a reasonable span of each bracket. In preparing ~~such~~ the tables the department shall adjust all withholding amounts ~~that are~~ not an exact multiple of 10 cents to the next highest figure that is a multiple of 10 cents.

SECTION 1102f. 71.20 (2m) of the statutes is created to read:

71.20 (2m) The department shall annually review the withholding tables and shall adjust the tables beginning on January 1, 1983, and on each January 1 thereafter to reflect any changes in income tax rates or any changes in dollar amounts in s. 71.09 (1b) resulting from statutory changes or from the estimated percentage change in the U.S. consumer price index for all urban consumers, U.S. city average, from the month of June of the preceding year to the month of June of the current year, but not to exceed 10%, plus or minus any adjustment necessary to reflect the difference between the actual and estimated percentage changes in the U.S. consumer price index for all urban consumers, U.S. city average, for the previous year or years. No adjustment of the withholding tables is required unless the net price index adjustment is 4% or more. The tables shall be extended to cover from zero to 10 withholding exemptions, shall assume that the payment of wages in each pay period will, when multiplied by the number of pay periods in a year, reasonably reflect the annual wage of the employe from the employer and shall be based on the further assumption that the annual wage will be reduced for allowable deductions from gross income. The department may determine the length of the tables and a reasonable span for each bracket. In preparing the tables the department shall adjust all withholding amounts not an exact multiple of 10 cents to the next highest figure that is a multiple of 10 cents. The department shall also provide instructions with the tables for withholding with respect to quarterly, semiannual and annual pay periods.

SECTION 1102g. 71.20 (5) (c) of the statutes is amended to read:

71.20 (5) (c) Any amount not deposited or paid over to the department within the time required shall be deemed delinquent and deposit reports or withholding reports filed after the due date shall be deemed late. Delinquent deposits or payments shall bear interest at the rate of 1.5% per month from the date deposits or payments are required under this section until deposited or paid over to the department. The department shall provide by rule for reduction of interest on delinquent deposits to ~~9%~~ 12% per year in stated instances wherein the secretary of revenue determines reduction fair and equitable. In the case of a timely filed deposit or withholding report, withheld taxes shall become delinquent if not deposited or paid over on or before the due date of the report. In the case of no report filed or a report filed late, withheld taxes shall become delinquent if not deposited or paid over by the due date of the report. In the case of an assessment under par. (a), the amount assessed shall become delinquent if not paid on or before the first day of the calendar month following the calendar month in which the assessment becomes final, but if the assessment is contested before the tax appeals commission or in the courts, it shall become delinquent on the 30th day following the date on which the order or judgment representing final determination becomes final.

SECTION 1102h. 71.21 (1m) of the statutes is created to read:

71.21 (1m) In this section:

(a) For the purposes of sub. (16), "tax computed" means net tax after reduction for personal exemption credits and for a prorated amount of all credits shown on the return but before reduction for amounts withheld under s. 71.20 or amounts paid as declarations

of estimated tax under this section; the proration for tax credits shall be based on a fraction the numerator of which is the number of months in the taxable year that end before the month in which the instalment is required to be paid and the denominator of which is 12.

(b) "Tax shown on the return" and "tax for the taxable year" mean net tax after reduction for exemptions and credits but before reduction by amounts withheld under s. 71.20 and before reduction for amounts paid as declarations of estimated tax under this section.

SECTION 1102i. 71.21 (11) of the statutes is amended to read:

71.21 (11) In the case of any underpayment of estimated tax by an individual, except as hereinafter provided, there shall be added to the aggregate tax for the taxable year an amount determined at the rate of ~~9%~~ 12% per year on the amount of the underpayment for the period of the underpayment.

SECTION 1102j. 71.22 (1m) of the statutes is created to read:

71.22 (1m) In this section, "tax shown on the return" and "tax for the taxable year" mean net tax after reduction by credits but before reduction by amounts paid as declarations of estimated tax under this section.

SECTION 1102k. 71.22 (8) of the statutes is amended to read:

71.22 (8) In the case of any underpayment of estimated tax by a corporation, except as hereinafter provided, there shall be added to the aggregate tax for the taxable year an amount determined at the rate of ~~9%~~ 12% per year on the amount of the underpayment for the period of the underpayment.

SECTION 1102L. 71.22 (10) (a) of the statutes is amended to read:

71.22 (10) (a) The tax shown on the return of the corporation for the preceding taxable year but not less than 60% of the tax shown on the return for the current taxable year or, if no return is filed, not less than 60% of the tax for the current taxable year, if a return showing a liability for tax was filed by the corporation on or measured by the income of the preceding year and such preceding year was a taxable year of 12 months. ~~This paragraph shall not be considered in connection with an underpayment of estimated tax in the taxable year 1972 of the corporation.~~

SECTION 1102m. 71.22 (10) (b) of the statutes is amended to read:

71.22 (10) (b) An amount equal to the tax computed at the rates applicable to the taxable year, but otherwise on the basis of the facts shown on the return of the corporation for and the law applicable to the preceding taxable year but not less than 60% of the tax shown on the return for the current taxable year or, if no return is filed, not less than 60% of the tax for the current taxable year.

SECTION 1102n. 71.23 of the statutes is amended to read:

**71.23 Penalties not deductible.** No penalty imposed by this chapter, including penalties imposed under s. 71.20 or 71.21, or by subch. III of ch. 77 or amounts added to the tax under s. 71.22 may be deducted from gross income in arriving at net income taxable under this chapter.

SECTION 1102o. 71.358 (5) of the statutes is amended to read:

71.358 (5) EXCEPTION. This section shall not apply to property acquired by a corporation by the issuance exchange of its stock or securities (or the stock or securities of a corporation which is in control of the acquiring corporation) as consideration in whole or in part for the transfer of the property to it.

SECTION 1102p. 71.362 (2) of the statutes is amended to read:

71.362 (2) TRANSFERS TO CORPORATIONS. If property was acquired by a corporation in connection with a reorganization to which ss. 71.351 to 71.368 apply, then the basis shall be the same as it would be in the hands of the transferor, increased in the amount of gain recognized to the transferor on such transfer. This subsection shall not apply if the property acquired consists of stock or securities in a corporation a party to the reorganization, unless acquired by the ~~issuance~~ exchange of stock or securities of the transferee (or of a corporation which is in control of the transferee) as the consideration in whole or in part for the transfer.

SECTION 1102q. 71.368 (1) (a) 2 of the statutes is amended to read:

71.368 (1) (a) 2. The acquisition by one corporation, in exchange solely for all or a part of its voting stock (or in exchange solely for all or a part of the voting stock of a corporation which is in control of the acquiring corporation), of stock of another corporation if, immediately after the acquisition, the acquiring corporation has control of ~~such~~ the other corporation (whether or not ~~such~~ the acquiring corporation had control immediately before the acquisition);

SECTION 1102r. 71.368 (1) (b) 3 of the statutes is amended to read:

71.368 (1) (b) 3. Transfers of assets or stock to subsidiaries in certain cases. A transaction otherwise qualifying under par. (a) 1, 2 or 3 shall not be disqualified by reason of the fact that part or all of the assets or stock which were acquired in the transaction are transferred to a corporation controlled by the corporation acquiring such assets or stock.

SECTION 1102s. 71.368 (1) (b) 4 of the statutes is created to read:

71.368 (1) (b) 4. Statutory merger using stock of controlling corporation. The acquisition by one corporation, in exchange for stock of a corporation (referred to in this subdivision as "controlling corporation") which is in control of the acquiring corporation, of substantially all of the properties of another corporation which in the transaction is merged into the acquiring corporation shall not disqualify a transaction under par. (a) 1 if a) the transaction would have qualified under par. (a) 1 if the merger had been into the controlling corporation and b) no stock of the acquiring corporation is used in the transaction.

SECTION 1102t. 71.368 (1) (b) 5 of the statutes is created to read:

71.368 (1) (b) 5. Statutory merger using voting stock of corporation controlling merged corporation. A transaction otherwise qualifying under par. (a) 1 shall not be disqualified by reason of the fact that stock of a corporation (referred to in this subdivision as the "controlling corporation") which before the merger was in control of the merged corporation is used in the transaction, if a) after the transaction, the corporation surviving the merger holds substantially all of its properties and of the properties of the merged corporation (other than the stock of the controlling corporation distributed in the transaction), and b) in the transaction, former shareholders of the surviving corporation exchanged, for an amount of voting stock of the controlling corporation, an amount of stock in the surviving corporation which constitutes control of the corporation.

SECTION 1102u. 71.368 (2) of the statutes is amended to read:

71.368 (2) PARTY TO A REORGANIZATION. For purposes of ss. 71.351 to 71.368, ~~the~~ term "a party to a reorganization" includes a corporation resulting from a reorganization, and both corporations, in the case of a reorganization resulting from the acquisition by one corporation of stock or properties of another. In the case of a reorganization qualifying under sub. (1) (a) 2 or 3, if the stock exchanged for the stock or properties is stock of a corporation which is in control of the acquiring corporation, ~~the term~~ "a party to a reorganization" includes the corporation so controlling the acquiring corporation. In the case of a reorganization qualifying under sub. (1) (a) 1, 2 or 3 by reason of sub. (1) (b)

3, ~~the term~~ “a party to a reorganization” includes the corporation controlling the corporation to which the acquired assets or stock are transferred. In the case of a reorganization qualifying under sub. (1) (a) 1 by reason of sub. (1) (b) 4, “a party to a reorganization” includes the controlling corporation referred to in sub. (1) (b) 4. In the case of a reorganization qualifying under sub. (1) (a) 1 by reason of sub. (1) (b) 5, “a party to a reorganization” includes the controlling corporation referred to in sub. (1) (b) 5.

~~SECTION 1103. 71.53 (1) (c) of the statutes is amended to read:~~

Vetoed  
in Part

~~71.53 (1) (c) “Property taxes” means real and personal property taxes, exclusive of special assessments, delinquent interest and charges for service, paid by a claimant on the claimant’s principal dwelling and contiguous land during the taxable year for which credit under this section is claimed, less any property taxes paid which are properly includible as a trade or business expense under section 162 of the internal revenue code and less the tax credit, if any, afforded in respect of the property by ss. 79.10 (3) and 79.17 (3m). If the property on which the taxes were paid is owned by 2 or more persons or entities as joint tenants or tenants in common, “property taxes” is that part of property taxes paid, reduced by any tax credit under ss. 79.10 (3) and 79.17 (3m), as reflects the ownership percentage of the claimant. If property is sold during the taxable year the “property taxes” for the seller and buyer shall be the amount of the tax prorated to each in the closing agreement pertaining to the sale or, if not so provided for in the closing agreement, the tax shall be prorated between the seller and buyer in proportion to months of their respective ownership. “Property taxes” includes monthly parking permit fees collected under s. 66.058 (3) (c).~~

SECTION 1103b. 71.53 (1) (d) of the statutes is amended to read:

71.53 (1) (d) “Rent constituting property taxes” means 25% of rent if heat is not included, or 20% of rent if heat is included, paid during the taxable year for which credit is claimed under this section, at arm’s length, for the use of a principal dwelling and contiguous land, excluding any payment for domestic, food, medical or other services which are unrelated to use of the dwelling as housing, less any rent paid that is properly includable as a trade or business expense under the internal revenue code. “Rent” includes space rental paid to a landlord for parking a mobile home. Rent shall be proportioned among the occupants of a principal dwelling according to their respective contribution to the total amount of rent paid. “Rent” does not include rent paid for the use of housing which was exempt from property taxation, except housing for which payments in lieu of taxes were made under s. 66.40 (22).

SECTION 1103d. 71.60 of the statutes is created to read:

**71.60 Minimum tax on tax preference items.** (1) DEFINITIONS. In this section:

(a) “Adjusted itemized deductions” means the amount by which the sum of the taxpayer’s Wisconsin itemized deductions for the taxable year, other than deductions allowable under sections 165 (c) (3) and 213 of the internal revenue code, exceeds 60%, but does not exceed 100%, of the taxpayer’s Wisconsin adjusted gross income for the taxable year. For married persons, “adjusted itemized deductions” of each spouse shall be determined as follows:

1. Compute the amount by which the total of both spouses’ itemized deductions for the taxable year, other than deductions allowable under sections 165 (c) (3) and 213 of the internal revenue code, exceed 60%, but do not exceed 100%, of the total of both spouses’ Wisconsin adjusted gross income for the taxable year.

2. The “adjusted itemized deductions” for each spouse is the amount determined by multiplying the amount computed under subd. 1 by a fraction, the numerator of which is the itemized deductions deducted by the spouse in arriving at his or her Wisconsin taxable income, and the denominator of which is the total itemized deductions deducted by both spouses in arriving at Wisconsin taxable income.

~~(b) "Capital gains deduction" means those items enumerated in section 57 (a) (9) of the internal revenue code, to the extent allowable under s. 71.05 (1) (a) 2.~~ Vetoed in Part

(c) "Internal revenue code" means the federal internal revenue code in effect on December 31, 1980.

(d) "Tax preference items" means those items enumerated in section 57 (a) (2), (3), (6), (8) and (11) of the internal revenue code plus adjusted itemized deductions and capital gains deductions. Each member of a partnership shall include that partner's distributive share of the partnership's income and deductions that are tax preference items. Each shareholder of a corporation electing to be taxed under subchapter S of the internal revenue code shall include the shareholder's proportionate share of the corporation's income and deductions that are tax preference items. For a natural person who is a resident for part of the taxable year, tax preference items are only those which relate to income allocable to this state under s. 71.07, income received while a resident of this state and itemized deductions as defined in s. 71.02 (2) (f). For a natural person who is a nonresident of this state during the entire taxable year, tax preference items are only those which relate to property located in this state, income allocable to this state under s. 71.07 and itemized deductions as defined in s. 71.02 (2) (f).

(2) IMPOSITION OF TAX. For taxable year 1981 and thereafter, in addition to other taxes imposed by this chapter, each natural person, trust and estate shall pay by the due date for filing the person's, trust's or estate's income tax return a tax equal to 5% of the amount by which the sum of that person's, trust's or estate's tax preference items as defined in section 57 (a) (2), (3), (6), (8) and (11) of the internal revenue code plus adjusted itemized deductions and capital gains deductions exceeds \$10,000. The minimum tax imposed under this section may not be deducted in determining a person's, trust's or estate's Wisconsin taxable income or tax under this chapter.

Vetoed in Part

(3) ADMINISTRATION. The department of revenue shall have full power to impose, enforce and collect the minimum tax provided in this section and may take any action, conduct any proceeding and in all respects proceed as it is authorized in respect in income taxes imposed in this chapter. The income tax provisions in this chapter relating to assessments, refunds, appeals, collection, interest and penalties shall apply to the minimum tax.

SECTION 1103f. 72.01 (17) of the statutes is amended to read:

72.01 (17) "Power of appointment" means any general power to appoint, as defined by section 2041 (relating to estate taxes) or 2514 (relating to gift taxes) of the 1954 internal revenue code, as defined in s. 71.02 (2) (b) amended to December 31, 1980.

SECTION 1103h. 72.12 (4) (c) 1 of the statutes is amended to read:

72.12 (4) (c) 1. Benefits paid to a beneficiary under an employe benefit plan are taxable under this subchapter except to the extent that the proportionate share resulting from the employer's contribution would be excludable from the gross estate of the decedent under s. 2039 of the 1954 internal revenue code as amended to December 31, 1980. This subsection applies whether or not there is a requirement for filing a federal estate tax return.

SECTION 1103j. 72.22 (4) (a) of the statutes is amended to read:

72.22 (4) (a) Whether or not there is a federal estate tax liability, if the estate would be authorized to pay federal estate taxes under section 6166 or 6166A of the internal revenue code, as amended to December 31, 1979 1980, in lieu of full payment, payment may be made according to an equal payment schedule over a period not to exceed 15 years from the decedent's date of death. If an election is made under this subsection, the election shall apply only to the portion of the tax payable by a distributee which is determined by dividing the value of property received by a distributee which qualifies an estate for the election under the internal revenue code by the value of all property received by the distributee. A distributee electing to pay under this subsection may subsequently pay part or

all of the remaining tax plus interest at the time any scheduled payment is due under this subsection. Interest on instalment payments under this subsection shall be computed under s. 72.23 at ~~9%~~ 12% per year.

SECTION 1103n. 72.23 (1) of the statutes is amended to read:

72.23 (1) RATE. If the tax imposed by this subchapter is not paid within one year of the decedent's date of death, interest is due and payable at the rate of ~~9%~~ 12% per year from date of death. In computing time under this section, the day of death is excluded.

SECTION 1103p. 72.85 (3) of the statutes is amended to read:

72.85 (3) PAYMENT; INTEREST; PENALTY. If the tax imposed is not timely paid, interest shall be charged and collected on the tax due at the rate of ~~9%~~ 12% per year from the date due until it is paid. In addition, if the required tax return is not timely filed, a penalty of 5% of the tax is imposed. If the tax is not paid by the due date, the donee and donor are jointly and severally liable for this tax, penalty and interest. If one person pays the tax, there is no right of contribution unless the person paying reserves it in writing on the filed tax return.

SECTION 1103r. 72.86 (1) of the statutes is amended to read:

72.86 (1) ADDITIONAL ASSESSMENT. No later than 4 years after the report required by s. 72.85 is filed, the department shall audit it and assess any additional tax which may be due. Interest shall be charged and collected at the rate of ~~9%~~ 12% per year for the period from the date on which the report was due until payment. If no report of a transfer is filed, an assessment may be made any time after the report was due. Notice of an assessment shall be given to both the donor and donee by certified mail. If the additional tax is not paid within 60 days from the receipt of the notice, an additional penalty of 5% of the tax shall be imposed and collected.

SECTION 1103t. 73.01 (4) (a) of the statutes is amended to read:

73.01 (4) (a) Subject to the provisions for judicial review contained in s. 73.015, the commission shall be the final authority for the hearing and determination of all questions of law and fact arising under sub. (5) and ss. 70.38 (4) (a), 70.64, 70.995 (8), 71.12, 72.86 (4), 76.38 (12) (a), 76.39 (4) (c), 76.48 (6) and, ~~77.59 (6) (b), 78.22, 139.03 (4), 139.31 (2) and 139.78.~~ Whenever with respect to a pending appeal there is filed with the commission a stipulation signed by the department of revenue and the adverse party, under s. 73.03 (25), agreeing to an affirmance, modification or reversal of the department's position with respect to some or all of the issues raised in the appeal, the commission shall enter an order affirming or modifying in whole or in part, or canceling the assessment appealed from, or allowing in whole or in part or denying the petitioner's refund claim, as the case may be, pursuant to and in accordance with the stipulation filed. No responsibility shall devolve upon the commission, respecting the signing of an order of dismissal as to any pending appeal settled by the department without the approval of the commission.

SECTION 1103v. 73.01 (4) (e) of the statutes is amended to read:

73.01 (4) (e) The commission in each case heard by it shall, irrespective of ch. 227, make a decision in writing accompanied by findings of fact and conclusions of law. The commission may issue an opinion in writing in addition to its findings of fact and decision. The decision or order of the commission shall become final and shall be binding upon the petitioner and upon the department of revenue for that case unless an appeal is taken from the decision or order of the commission under s. 73.015. If the commission construes a statute adversely to the contention of the department of revenue;

1. Except as provided in subd. 2, the department shall be deemed to acquiesce in the construction so adopted unless the department seeks review of the order or decision of the commission so construing the statute. The construction so acquiesced in shall thereafter be followed by the department.

SECTION 1103x. 73.01 (4) (e) 2 of the statutes is created to read:

73.01 (4) (e) 2. The department may choose not to appeal and to nonacquiesce in the decision or order by sending a notice of nonacquiescence to the clerk of the commission, to the revisor of statutes for publication in the Wisconsin administrative register and to the taxpayer or the taxpayer's representative before the time expires for seeking a review of the decision or order under s. 73.015. The effect of this action is that, although the decision or order is binding on the parties for the instant case, the commission's conclusions of law, the rationale and construction of statutes in the instant case are not binding upon or required to be followed by the department in other cases.

SECTION 1104. 73.03 (2a) of the statutes is amended to read:

73.03 (2a) To prepare, have published and distribute to each county having a county assessor system under s. 70.99 and to each town, city and village in the state for the use of assessors and their staff, assessment personnel and the public detailed assessment manuals discussing and illustrating accepted assessment methods, techniques and practices with a view to more nearly uniform and more consistent assessments of property at the local level. The manual shall be amended by the department from time to time to reflect advances in the science of assessment, court decisions concerning assessment practices, costs, and statistical and other information deemed valuable to local assessors by the department. The manual shall incorporate standards for the assessment of all types of renewable energy resource systems used in this state as soon as such systems are used in sufficient numbers and sufficient data exists to allow the formulation of valid guidelines. The cost of the initial development, preparation, publication and distribution of the manuals manual and of the distribution of any revisions and amendments to the municipalities it shall be borne by the requester assessment districts and requesters at an individual volume cost or a subscription cost as determined by the department. All receipts shall be credited to the appropriation under s. 20.566 (2) (hi). The department shall, on the 4th Monday in August, certify past-due accounts and include them in the next apportionment of state special charges to counties and municipalities under s. 70.60. The department may provide free assessment manuals to other state agencies or exchange them at no cost with agencies of other states or of the federal government for similar information or publications.

SECTION 1104m. 73.03 (28) of the statutes is created to read:

73.03 (28) To enter into contracts to collect delinquent Wisconsin taxes from nonresidents. The department shall allocate a portion of the amounts collected under ch. 78 through those contracts to the appropriation under s. 20.566 (1) (hm) to pay contract and court costs. The department shall allocate the remainder of those collections to the transportation fund under s. 25.40. The department shall allocate a portion of the amount collected under chs. 71, 72, 77 and 139 through those contracts to the appropriation under s. 20.566 (1) (hm) to pay contract and court costs. The department shall allocate the remainder of those collections to the general fund.

SECTION 1105. 73.05 (4) of the statutes is repealed.

SECTION 1106. 73.06 (1) of the statutes is amended to read:

73.06 (1) The department of revenue, through its ~~employees called~~ supervisors of assessments and deputy supervisors of assessments, shall have full and complete supervision and direction of the work of the local assessors. It shall annually, or more often if deemed necessary at a time which in its judgment is best calculated to obtain the ends sought, call a meeting of all ~~such~~ local assessors ~~for each county~~ for conference and instruction relative to their duties in the valuation and assessment of property. The department of revenue may also call a similar meeting of local clerks and ~~such~~ other officials ~~as seems advisable~~ for conference and instruction relative to their duties in the valuation and assessment of property. Each ~~such~~ official upon notice by mail from the supervisor shall attend ~~such~~ the meeting, and shall receive ~~therefor~~ travel expenses from his or her residence to the



~~county seat meeting site~~ and return and ~~such the~~ compensation and mileage as ~~that the~~ board ~~may establish~~ establishes, but not less than \$5 per day and 6 cents per mile; except that in counties having a population of 500,000 or more, no compensation, travel expense or mileage shall be allowed. ~~Such~~ This compensation shall be paid out of the treasury of the county in which ~~such the~~ local official resides upon the certificate of the supervisor of assessments showing ~~such~~ attendance and travel, ~~in like manner~~ as certificates of witnesses and jurors are paid.

SECTION 1107. 73.06 (5) of the statutes is amended to read:

73.06 (5) The department of revenue through its supervisor of assessments shall make a report to the county board of each county showing in detail the work of local assessors in their several districts, the failure, if any, of such assessors to comply with the law, the relative assessed and full value of property in each taxation-district, and all such information and statistics as may be obtained which will be of assistance to the county board in determining the relative value of all taxable property in each taxation district in the county. Such report shall be filed with the county clerk at least 15 days before the annual meeting of the county board. The county clerk shall cause to be printed not less than 200 copies of such report, one of which shall be delivered immediately by the county clerk to each member of the county board and a sufficient number of copies not to exceed 5 to each municipality requesting the same by resolution of the governing body for the use of the officials of the municipality. Not less than 6 copies of such printed report, together with all statistics accompanying the same, shall be filed with the department of revenue. ~~This subsection shall not apply to any county having a county assessor who is required under s. 70.99 (9m) to meet with the county board.~~

SECTION 1108. 73.08 (2) of the statutes is amended to read:

73.08 (2) All costs of the department of revenue in connection with the review of assessment practices under this section shall be borne by the taxation district. These receipts shall be credited to the appropriation under s. 20.566 (2) (h). Past due accounts shall be certified on ~~October 1~~ or before the 4th Monday of August of each year and included in the next apportionment of state special charges to local units of government.

SECTION 1109. 73.10 (6) of the statutes is amended to read:

73.10 (6) The department shall establish a scale of charges for system installations, audits, inspections and other services rendered by the department in connection with financial records or procedures of towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts and all other local public bodies, boards, commissions, departments or agencies. Upon the completion of such work or at the department's discretion, during work in progress, the department shall transmit to the clerk of the town, village, city, county, school district, board of education, vocational, technical and adult education districts or other local public body, board, commission, department or agency, or any state agency contracting for audit services, a statement of such charges. Duplicates of the statements shall be filed in the offices of the state treasurer. Within 60 days after the receipt of the above statement of charges, the same shall be audited as other claims against towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts and other local public bodies, boards, commissions, departments or agencies are audited, and shall be paid into the state treasury and credited to the appropriation under s. 20.566 (2) (g). Past due accounts of towns, villages, cities, counties, school districts, boards of education, vocational, technical and adult education districts and all other local public bodies, boards, commissions, departments or agencies shall be certified on ~~October 1~~ or before the 4th Monday of August of each year and included in the next apportionment of state special charges to local units of government.

SECTION 1109g. 74.03 (4) of the statutes is amended to read:

74.03 (4) DELINQUENT FIRST INSTALMENT; INTEREST. If the first instalment of the real estate taxes or special assessments so charged is not paid on or before January 31, the whole amount of such real estate taxes or special assessments shall become due and payable and shall be collected, together with unpaid personal property taxes, on or before the last day of February by the town, city or village treasurer. All such taxes and assessments remaining unpaid on March 1 are delinquent and shall be returned to the county treasurer as provided in s. 74.17. ~~Such, except that the taxes due from individuals who receive loans under subch. IV of ch. 77 are not delinquent if they are paid on or before the next January 1.~~ Delinquent taxes shall be collected by the county treasurer with interest at the rate of one percent per month or fraction thereof from January 1 next preceding.

SECTION 1109r. 74.03 (6) of the statutes is amended to read:

74.03 (6) DELINQUENT 2ND INSTALMENT; INTEREST. Except as provided in s. 74.025, the 2nd instalment of real estate taxes and special assessments remaining unpaid on August 1 shall be delinquent and shall be subject to interest at the rate of one percent per month or fraction thereof from January 1 next preceding until paid or until the property upon which such taxes are levied is sold at the next tax sale as provided by law, ~~except that the taxes due from individuals who receive loans under subch. IV of ch. 77 are not delinquent if they are paid on or before the next January 1.~~

SECTION 1110. 74.03 (10) (b) of the statutes is amended to read:

74.03 (10) (b) On or before February 25, the city treasurer shall pay to the county treasurer all taxes and charges collected on the duplicate county tax roll, and all taxes and charges collected on the city tax roll shall be retained by the city treasurer. Immediately upon receipt of the ~~allocable share of the sales and use tax collections as prescribed in credits under s. 79.10 and the allocable share of the personal property tax offset as prescribed in s. 79.12, 1973 stats. or s. 79.17,~~ the city treasurer shall pay to the county treasurer the total tax credits applicable to the duplicate county tax roll.

SECTION 1110g. 74.031 (3) of the statutes is amended to read:

74.031 (3) INSTALMENTS DUE, PENALTIES. Such ordinance may postpone the time for the payment of a portion of the real estate taxes assessed in such city, village or town for not to exceed 6 months from January 31 so that real estate taxes may be paid to the city, village or town treasurer in 3 or more instalments beginning on or before January 31, each to be due on the last day of the month designated, under the conditions hereinafter specified, including the fixing of minimum payments. On any instalment date a taxpayer may pay the balance of the taxes due. Such ordinance may establish penalties for failure to pay instalments when due, ~~except that the penalties may not apply to persons who receive loans under subch. IV of ch. 77 and who pay the instalment by the January 1 after it is due.~~ Such ordinance must provide that not less than an aggregate of one-half of any tax paid in instalments shall be due and payable on or before April 30.

SECTION 1110m. 74.031 (5) of the statutes is amended to read:

74.031 (5) DELINQUENT FIRST INSTALMENT; INTEREST. When the first instalment of the real estate taxes or special assessments so charged is not paid on or before January 31, the whole amount of such real estate taxes or special assessments shall become due and payable and shall be collected, together with unpaid personal property taxes, on or before the last day of February by the town, city or village treasurer. All such taxes and special assessments remaining unpaid on March 1 shall be delinquent, ~~and except that the taxes due from individuals who receive loans under subch. IV of ch. 77 are not delinquent if they are paid before the next January 1.~~ Delinquent taxes shall be collected by the town, city or village treasurer with interest at the rate of one percent per month or fraction thereof from January 1 next preceding.

SECTION 1110r. 74.031 (6) of the statutes is amended to read:

74.031 (6) OTHER DELINQUENT INSTALMENTS; INTEREST. If any taxes, the payment of which shall have been thus postponed, shall not be paid in full on or before the final date fixed in such ordinance, the unpaid portion of such postponed taxes shall be delinquent, ~~and such except that the taxes due from individuals who receive loans under subch. IV of ch. 77 are not delinquent if they are paid before the next January 1.~~ Delinquent taxes shall be collected together with interest thereon at one percent per month or fraction thereof from January 1 preceding in lieu of accumulated penalties imposed pursuant to sub. (3). Any such taxes remaining delinquent on August 1 shall be returned to the county treasurer for collection as provided in sub. (9).

SECTION 1111. 76.02 (11) of the statutes is amended to read:

76.02 (11) If the property of any company defined in sub. (8) is located entirely within a single town, village or city, it shall be subject to local assessment and taxation. ~~All property not necessarily used in operating the business of any company defined in this section is excepted from taxation under this subchapter and shall be subject to local assessment and taxation.~~

SECTION 1111b. 76.07 (1) of the statutes is amended to read:

76.07 (1) DUTY OF DEPARTMENT. The department on or before ~~June 15~~ August 1 in each year in the case of railroad companies, telegraph companies and sleeping car companies, and on or before ~~August~~ September 15 in the case of light, heat and power companies, air carrier companies, conservation and regulation companies, and pipeline companies, shall, according to its best knowledge and judgment, ascertain and determine the full market value of the property of each company within the state.

SECTION 1111d. 76.07 (5) of the statutes is created to read:

76.07 (5) FULL MARKET VALUE. (a) The full market value of the operating property of a company listed in s. 76.01 shall be determined by applying recognized appraisal methods, which may include, but are not limited to, the capitalized income, cost, and stock and debt indicators of value, regardless of the method of accounting for legitimate business purposes used by the taxpayer. The department shall give due consideration to generally accepted accounting principles and regulated accounting practices.

(b) The department shall promulgate rules relating to the general principles of the indicators of value under par. (a).

SECTION 1111m. 76.13 (1), (2) and (2a) of the statutes are amended to read:

76.13 (1) The department shall compute and levy a tax upon the property of each company defined in s. 76.02, as assessed in the manner specified in ss. 76.07 and 76.08, at the average rate of taxation determined as aforesaid, and the amount of tax to be paid by each such company shall be extended upon a tax roll opposite the description of the property of the respective companies. The tax rolls for all companies required to be assessed on or before ~~June 15~~ August 1 in each year under s. 76.07 (1) shall be completed on or before ~~June 20~~ August 10, and for all companies required to be assessed on or before ~~August~~ September 15 in each year under s. 76.07 (1) shall be completed on or before ~~September 15~~ October 1; and the department shall thereupon attach to each such roll a certificate signed by the secretary of revenue, which shall be as follows:

“I do hereby certify that the foregoing tax roll includes the property of all railroad, light, heat and power, telegraph companies, sleeping car companies, air carrier companies, conservation and regulation companies, or pipeline companies, as the case may be, defined in s. 76.02, liable to taxation in this state; that the valuation of the property of each company as set down in said tax roll is the full market value thereof as assessed by the department of revenue, except as changed by court judgment, and that the taxes thereon charged in said tax roll have been assessed and levied at the average rate of taxation in this state, as required by law”.

(2) Every tax roll upon completion shall be delivered to the state treasurer and a copy of the tax roll filed with the secretary of administration. The department shall notify, by certified mail, all companies listed on the tax roll of the amount of tax due, which shall be paid to the department, as follows: In the case of companies assessed on or before June 15, not less than one-half of the amount of the tax on or before July 10 and the remainder on or before October 15 of the same year; and in the case of all other companies on or before December 1 in the year 1971, and thereafter November 10 of each year. The payment dates in this subsection shall be applicable to the calendar year 1975 and prior years. Thereafter, the payment dates provided for in sub. (2a) shall apply. The payment of ~~one-half of the 2nd instalment in the case of a company assessed on or before June 15 and the payment of one-fourth of the tax in the case of any other company~~ may, if the company has brought an action in the Dane county circuit court under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time prior to the date upon which the appeal becomes final, but any part of the tax ultimately required to be paid shall bear interest from the original due date to the date the appeal became final at the rate of ~~9%~~ 12% per year and at 1.5% per month thereafter until paid. The taxes extended against any company after the same become due, with interest, shall be a lien upon all the property of the company prior to all other liens, claims and demands whatsoever, which lien may be enforced in an action in the name of the state in any court of competent jurisdiction against the property of the company within the state as an entirety.

(2a) Beginning with the calendar year 1976, taxes levied under this section shall be paid to the department in semiannual instalments, on May 10 and November 10, on a partially estimated basis. ~~Companies assessed under s. 76.07 (1) in calendar year 1976 on or before June 15, 1976, and thereafter shall adjust the remaining semiannual payment made on November 10 so as to properly reflect and pay the total amount of tax assessed.~~ Companies assessed under s. 76.07 (1) ~~in calendar year 1976 on or before August 15, 1976, and thereafter shall adjust the remaining semiannual payment made on November 10 so as to properly reflect and pay the total amount of tax assessed.~~ The semiannual instalments may be reduced by a proportional share of the property tax credit provided by s. 79.10 (1a) (c), 1979 stats., and any difference between the credit certified under s. 79.10 (1a) (c), 1979 stats., and the total tax credit reductions in prior semiannual payments for the year shall be added to or subtracted from the November 10 payment in each year. If any company fails to make semiannual payments, prior to the assessment date, of at least 50% of either the total tax assessed less tax credit under s. 79.10 (1a) (c), 1979 stats., for the previous calendar year or 80% of the tax assessed before applying the tax credit under s. 79.10 (1a) (c), 1979 stats., for the current calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under s. 76.14. The payment of 25% of the tax of any company may, if the company has brought an action in the Dane county circuit court under s. 76.08, be made without delinquent interest as provided in s. 76.14 any time prior to the date upon which the appeal becomes final, but any part thereof ultimately required to be paid shall bear interest from the original due date to the date the appeal becomes final at the rate of ~~9%~~ 12% per year and at 1.5% per month thereafter until paid. Commencing with calendar year 1978 and thereafter companies with a tax liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of taxes due on or before November 10.

SECTION 1111r. 76.13 (3) of the statutes is amended to read:

76.13 (3) If the Dane county circuit court, after such roll is delivered to the state treasurer, increases or decreases the assessment of any company, the department shall immediately redetermine the tax of the company on the basis of the revised assessment, and shall certify and deliver the revised assessment to the state treasurer as a revision of the tax roll. If the amount of tax upon the assessment as determined by the court is less than the amount paid by the company, the excess shall be refunded to the company with

interest at the rate of 9% per year upon the certification of the redetermined tax and for that purpose the secretary of administration, upon the certification and delivery of the revised tax roll, shall draw a warrant upon the state treasurer for the amount to be so refunded. If the amount of the tax upon the assessment as determined by the court is in excess of the amount of the tax as determined by the department, interest shall be paid on the additional amount at the rate of ~~9%~~ 12% per year from the date of entry of judgment to the date the judgment becomes final, and at 1.5% per month thereafter until paid.

SECTION 1112. 76.23 of the statutes is amended to read:

**76.23 Exemption from other taxation.** The taxes imposed by this chapter upon the property of the companies defined in s. 76.02 shall be in lieu of all other taxes on such property necessarily used in the operation of the business of such companies in this state, except that the same shall be subject to special assessment for local improvements in cities and villages. If a general structure is used in part for operating the business of any company defined in s. 76.02 and in part for nonoperating purposes, that general structure shall be assessed for taxation under this chapter at the percentage of its full market value that fairly measures and represents the extent of its use for operating purposes and the balance shall be subject to local assessment and taxation, except that the entire general structure is subject to special assessments for local improvements. All property not necessarily used in operating the business of any company defined in s. 76.02 is exempted from taxation under this chapter and is subject to local assessment and taxation. The taxes so imposed and paid by such companies shall also be in lieu of all taxes on the shares of stock of such companies owned or held by individuals of this state and such shares of stock in the hands of individuals shall be exempt from further taxation.

SECTION 1112c. 76.24 (2) (a) of the statutes is amended to read:

76.24 (2) (a) All taxes paid by any railroad company derived from or apportionable to docks, ore yards, piers, wharves, grain elevators, and their approaches, or car ferries or terminal storage facilities, docks, pipelines and pumping equipment used in transferring oil from pipelines to vessels on the basis of the separate valuation provided for in s. 76.16, shall be distributed annually from the transportation fund to the towns, villages and cities in which they are located, pursuant to certification made by the department of revenue on or before ~~July 10~~ August 15.

SECTION 1112g. 76.38 (1) (b) of the statutes is amended to read:

76.38 (1) (b) "Telephone company" means any individual, partnership, association, company or corporation, including specialized common carrier companies, except for cable television, broadcasting, radio common carrier and telegraph companies, operating any a telephone line, microwave, satellite or any other telecommunication facility in this state with appliances for the transmission of messages by speech, sound or vision, and engaged in the business of furnishing ~~telephone~~ telecommunication service to the public.

SECTION 1112hm. 76.38 (2) (c) of the statutes is amended to read:

76.38 (2) (c) For purposes of this section, all other operating revenues attributable to this state which can be definitely assigned to one or more municipalities shall be classified as exchange service revenue, but if such assignment can not reasonably be made, such other operating revenues shall be classified as toll service revenues. All gross revenues received by specialized common carriers attributable to this state shall be classified as toll service revenues.

SECTION 1112hr. 76.38 (3a) of the statutes is amended to read:

76.38 (3a) Beginning with the calendar year 1976, the license fees prescribed by this section shall be paid to the department on an estimated basis. Payment of the first installment for 50% of the total estimated liability of the May 1, 1977, assessment is due on or before May 10, 1976, and payment of semiannual instalments of the total estimated liability for the year 1977 shall be due on or before May 10, 1976, and November 10, 1976.

Thereafter, remittances of semiannual instalments of the total estimated payments for the then current calendar year shall be due on or before May 10, and November 10 of the current year. With respect to the May 1, 1977, license fee assessment under sub. (3) and each May 1 assessment thereafter each telephone company shall on May 10, 1977, and each May 10 thereafter pay or be credited an amount which is equal to the difference between the May 1 assessment and the sum of the semiannual instalment payments made in the preceding calendar year. The additional amount shall be added to the semiannual instalment due on May 10; if there has been an overpayment the amount of the overpayment shall be credited to the semiannual instalment due May 10. The semiannual instalments may be reduced by a proportional share of the property tax credits provided by s. 79.10 (1a) (c), 1979 stats., and any difference between the credit certified under s. 79.10 (1a) (c), 1979 stats., and the sum of the property tax credit reductions reflected in the semiannual instalment payments, made the preceding calendar year, shall be added to or subtracted from the semiannual instalment due May 10. The receipt received by each telephone company with respect to the May 10, 1977, payment date and each May 10 payment date thereafter shall constitute the license provided by sub. (3). If any telephone company fails to make semiannual payments of at least 50% of either the total assessed liability less tax credit under s. 79.10 (1a) (c), 1979 stats., for the current calendar year or 80% of the actual assessed liability computed before applying the tax credit under s. 79.10 (1a) (c), 1979 stats., for the subsequent calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3). Commencing with calendar year 1979 and thereafter companies with a liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of license fees due on or before May 10 of the year of assessment.

SECTION 1113. 76.38 (8) of the statutes is amended to read:

76.38 (8) The license fees imposed by this section upon the gross revenues of telephone companies as defined in sub. (1) shall be in lieu of all other taxes on all property used and useful in the operation of the business of such companies in this state, except that the same shall be subject to special assessments for local improvements. If a general structure is used and useful in part in the operation of the business of those companies in this state and in part for nonoperating purposes, the license fees imposed by this section are in place of the percentage of all other taxes on the property that fairly measures and represents the extent of the use and usefulness in the operation of the business of those companies in this state, and the balance is subject to local assessment and taxation, except that the entire general structure is subject to special assessments for local improvements.

SECTION 1113g. 76.38 (12) (a) of the statutes is amended to read:

76.38 (12) (a) If after filing the reports specified in sub. (2) it is subsequently determined that the amount of gross revenues reported is in error, the department shall compute the additional license fee to be paid or the amount of the overpayment of license fee to be refunded, as the case may be. If an additional license fee is due, the department shall give notice to the telephone company against whom the license fee is to be levied. All such additional assessments and claims for refunds for excess license fees paid are subject to the same procedure for review and final determination as additional income tax assessments and claims for refunds under ch. 71 as far as the same may be applicable, and all additional license fees shall be apportioned in the manner provided in sub. (7). The additional license fees shall become delinquent 30 days after notice provided in this subsection, except that when timely review proceedings are taken from an additional assessment, the fees shall not become delinquent until 30 days following final determination of the review proceedings. All additional license fees shall bear interest at the rate of ~~9%~~ 12% per year from the time they should have been paid to the date on which the additional fees shall become delinquent if unpaid.

SECTION 1113r. 76.39 (4) (d) of the statutes is amended to read:

76.39 (4) (d) All refunds shall be certified by the department to the department of administration which shall audit the amount of the refunds and the state treasurer shall pay the amount, together with interest at the rate of 9% per year from the date payment was made. All additional taxes shall bear interest at the rate of ~~9%~~ 12% per year from the time they should have been paid to the date upon which the additional taxes shall become delinquent if unpaid.

SECTION 1114. 76.48 (1) of the statutes is amended to read:

76.48 (1) Every cooperative association organized under ch. 185 which carries on the business of generating, transmitting or distributing electric energy to its members at wholesale or retail shall pay in lieu of all other general property and income taxes an annual license fee of ~~2.6%~~ 2.35% to be computed on that portion of its total gross revenues from the sale of electric energy and from rentals of electric property derived by multiplying total gross revenues by a fraction, the numerator of which is the average book cost of utility plant located in this state, and the denominator of which is the average book cost of utility plant located everywhere. The average book cost shall be determined by averaging the beginning and year end balances at original cost, including construction work in progress. In this subsection "book cost of utility plant" has the meaning set forth in the uniform system of accounts prescribed by the U.S. rural electrification administration in Bulletin 181-1, dated January 1, 1978. Real estate and personal property not used primarily for the purpose of generating, transmitting or distributing electric energy shall be subject to general property taxes. If a general structure is used in part to generate, transmit or distribute electric energy and in part for nonoperating purposes, the license fee imposed by this section is in place of the percentage of all other general property taxes that fairly measures and represents the extent of the use in generating, transmitting or distributing electric energy and the balance is subject to local assessment and taxation, except that the entire general structure is subject to special assessments for local improvements.

SECTION 1114g. 76.48 (3a) of the statutes is amended to read:

76.48 (3a) Beginning with the calendar year 1976, license fees due under this section shall be paid to the department on an estimated basis. Payment of the first instalment for 50% of the total estimated liability for the year 1977 shall be due on or before May 10, 1976, and the remaining 50% on November 10, 1976. Thereafter, payments of semiannual instalments of the estimated tax liability for the subsequent year shall be due on or before May 10 and November 10 of the current year. With respect to the May 1, 1977, license fee assessment under sub. (3) and each May 1 assessment thereafter each association shall on May 10, 1977, and each May 10 thereafter pay or be credited an amount which is equal to the difference between the May assessment and the sum of the semiannual instalment payments made in the preceding calendar year. The additional amount shall be added to the semiannual instalment due on May 10. If there has been an overpayment the amount of the overpayment shall be credited to the semiannual instalment due May 10. The semiannual instalments may be reduced by a proportional share of the property tax credits provided by s. 79.10 (1a) (c), 1979 stats., and any difference between the credit certified under s. 79.10 (1a) (c), 1979 stats., and the sum of the property tax credit reductions reflected in the semiannual instalment payments, made in the preceding calendar year, shall be added to or subtracted from the semiannual instalment due May 10. If any association fails to make semiannual payments at least 50% of either the actual tax assessed less tax credit under s. 79.10 (1a) (c), 1979 stats., for the current calendar year or 80% of the actual tax assessed before applying the tax credit under s. 79.10 (1a) (c), 1979 stats., for the subsequent calendar year, any amounts not paid when due shall become delinquent and shall be subject to interest under sub. (3). Commencing with calendar year 1979 and thereafter associations with a liability under this section of less than \$2,000 are not required to make semiannual payments but shall pay the full amount of license fees due on or before May 10 of the year of assessment.

SECTION 1114m. 76.48 (5) of the statutes is amended to read:

76.48 (5) Additional assessments may be made, if notice of such assessment is given, within 4 years of the date the annual return was filed, but if no return was filed, or if the return filed was incorrect and was filed with intent to defeat or evade the tax, an additional assessment may be made at any time upon the discovery of gross revenues by the department. Refunds may be made if a claim for the refund is filed in writing with the department within 4 years of the date the annual return was filed. Refunds shall bear interest at the rate of 9% per year and shall be certified by the department to the secretary of administration who shall audit the amounts of such overpayments and the state treasurer shall pay the amount audited. Any refund, and interest on the refund, shall be deducted from the municipal and county shared tax account under ch. 79. Additional assessments shall bear interest at the rate of ~~9%~~ 12% per year from the time they should have been paid to the date upon which they shall become delinquent if unpaid.

SECTION 1114p. 76.64 of the statutes is amended to read:

**76.64 Quarterly instalments.** Payments of quarterly instalments of the total estimated payment for the then current calendar year under ss. 76.60, 76.63 ~~(1)~~ and 76.65 ~~(2)~~ shall be due on or before April 15, June 15, September 15 and December 15. Every company shall make an annual return for the preceding calendar year on or before March 1 setting forth such information as the commissioner of insurance may reasonably require on forms prescribed by the commissioner. On March 1, the company shall pay any additional amount due for the preceding calendar year. Overpayment will be credited on the amount due April 15. If any company fails to make quarterly payments of at least 25% of either the total tax paid for the previous calendar year or 80% of the actual tax for the current calendar year, it shall be liable in addition to the amount due for interest in the amount of one percent of the amount due and unpaid for each month or part of a month that the amount due together with any interest remains unpaid.

SECTION 1114r. 76.65 (title) of the statutes is amended to read:

**76.65 (title) Life insurers; license fee.**

SECTION 1115. 76.65 (1) (a) of the statutes is amended to read:

76.65 (1) (a) If such insurer is organized under the laws of this state, it shall pay as an annual license fee 3.5% upon its gross income from all sources for the preceding calendar year except interest required to provide and maintain reserves according to the laws of this state, ~~income from rents of real estate upon which the insurer has paid the taxes assessed thereon,~~ and except premiums collected on policies of insurance and contracts for annuities. No domestic insurer shall, however, in any year pay in the aggregate for license fee as prescribed in this paragraph ~~and valuation fee as set forth in s. 601.31 (1) (v)~~ an amount in excess of the annual license fee which would have been payable by it in such year under sub. (2) had it been operating as a foreign insurer subject to sub. (2). Any domestic insurer having in excess of \$750,000,000 of insurance in force as of December 31 of the preceding calendar year, excluding therefrom any reinsurance assumed on which premium taxes are payable by the ceding insurer, shall not pay less in the aggregate for a license fee as prescribed in this paragraph ~~and valuation fee as set forth in s. 601.31 (1) (v)~~ than the amount of the annual license fee which would have been payable by it in such year under sub. (2) had it been operating as a foreign insurer subject to sub. (2). Payments under this paragraph shall be made annually on or before March 1.

~~SECTION 1115m. 76.69 of the statutes is repealed.~~ Vetoed  
in Part

SECTION 1115p. Chapter 77 (title) of the statutes is amended to read:

CHAPTER 77

TAXATION OF FOREST CROPLANDS; REAL ESTATE TRANSFER FEES; Sales and use taxes;  
PROPERTY TAX DEFERRAL; LOCAL SALES TAX

SECTION 1117. 77.04 (2) of the statutes is amended to read:



77.04 (2) TAX PER ACRE; PAYMENT; PENALTY. Any owner shall be liable for and pay to the town treasurer on or before the last day of February of each year on each such description a sum herein called the "acreage share" computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all lands entered after December 31, 1971, the "acreage share" shall be computed every 10 years to the nearest cent by the department of revenue at the rate of 20 cents per acre multiplied by a ratio using the equalized value of the combined residential, mercantile, manufacturing, agricultural, swamp, or waste, and productive forest land and nonproductive forest land classes under s. 70.32 (2) within the state in 1972 as the denominator, and using equalized value for such combined land classes in 1982 and every 10th year thereafter as the numerator. If such acreage share is not paid by the last day of February to the town treasurer it shall be subject to interest at the rate of one percent per month or fraction thereof from January 1 preceding. Such lands shall be returned as delinquent and sold for delinquent taxes as provided for the sale of lands for taxes but no bid shall be received on such sale except from the county, and the county shall not be liable to the town for any amount except the acreage share subsequently paid by the owner. At the expiration of 3 years from the date of sale of any tax certificate acquired by the county under this subsection, the county clerk shall promptly take a tax deed under s. 75.36, except that county board authorization shall not be required. On taking such deed the county clerk shall certify that fact and specify the descriptions to the department of natural resources.

SECTION 1120. 77.22 (1) of the statutes is amended to read:

77.22 (1) CONVEYANCE. There is imposed on the grantor of real estate a real estate transfer fee at the rate of ~~40~~ 30 cents for each \$100 of value or fraction thereof, on every conveyance not exempted or excluded under this subchapter. ~~Such~~ This fee shall be collected by the register at the time the instrument of conveyance is submitted for recording. At the time of ~~such~~ submission the grantee or his or her duly authorized agent or other person acquiring an ownership interest under the instrument shall execute a return, signed by both grantor and grantee, in such the form as the secretary prescribes setting forth the value of the ownership interest transferred by the instrument, the amount of the fee payable and such other information as that the secretary requires. The register shall enter the fee paid on the face of the deed or other instrument of conveyance before recording, and submission of a completed real estate transfer return and collection by the register of the fee shall be a prerequisite prerequisites to acceptance of the conveyance for recording. The register shall have no duty to determine either the correct value of the real estate transferred ~~nor~~ or the validity of any exemption or exclusion claimed. If the transfer is not subject to a fee as provided in this subchapter, the reason for exemption shall be stated on the face of the conveyance to be recorded by reference to the proper subsection under s. 77.25. All returns related to conveyances exempt from the fee need not report the value of the ownership transferred except conveyances exempt under ss. 77.22 (2) (a) and 77.25 (8).

SECTION 1121. 77.22 (2) (a) of the statutes is amended to read:

77.22 (2) (a) No fee shall be imposed on the recording of an original land contract or an instrument evidencing the existence of a land contract. At the time of submission of the land contract or instrument evidencing the existence of a land contract, the vendee or ~~his~~ the vendee's duly authorized agent shall execute a return signed by both the vendee or vendor setting forth the value of the ownership interest transferred by the instrument. The return shall be in such the form as the secretary prescribes as. The return shall be a prerequisite to acceptance by the register for recording, and the vendor and the vendee shall sign the return. The register shall enter the date of recording on the form. ~~The returns accepted by the register shall be sent to the department of revenue by~~ By the 15th day of the month following the close of the month in which such the land contracts were recorded, the register shall send the returns to the department of revenue.

SECTION 1121m. 77.24 of the statutes is amended to read:

**77.24 Division of fee.** ~~Fifty per cent~~ Twenty percent of all fees collected under this subchapter shall be retained by the county and the balance shall be transmitted to the state. Remittances shall be made monthly by the county treasurers to the department of revenue by the 15th day of the month following the close of the month in which the fee was collected. The remittance to the department shall be accompanied by the returns executed under s. 77.22.

SECTION 1122. 77.26 of the statutes is repealed.

SECTION 1123. 77.28 of the statutes is amended to read:

**77.28 Refund of fees erroneously paid.** ~~Fees~~ Upon the filing of an amended return, fees erroneously paid hereunder may overpaid or underpaid under this subchapter shall be refunded by the county treasurer or shall be remitted to the county treasurer. If ~~50%~~ 80% of the erroneous fee has been ~~previously~~ remitted to the state the county treasurer shall adjust his the next payment to the state by ~~such prior~~ an amount equal to the excess payment. If additional money is remitted to the county treasurer, at the time of the next payment to the state the county treasurer shall remit 80% of the additional money to the state.

SECTION 1123b. 77.51 (4g) (e) and (f) of the statutes are amended to read:

77.51 (4g) (e) The distribution of property by a partnership to its partners in whole or partial liquidation; or

(f) Repossession of property by the seller from the purchaser when the only consideration is cancellation of the purchaser's obligation to pay the remaining balance of the purchase price.;

SECTION 1123c. 77.51 (4g) (g) of the statutes is created to read:

77.51 (4g) (g) The transfer of property in a reorganization as defined in s. 71.368 in which no gain or loss is recognized for franchise or income tax purposes under ss. 71.301 to 71.368; or

SECTION 1123g. 77.51 (10) (b) of the statutes is renumbered 77.51 (4g) (h) and amended to read:

77.51 (4g) (h) Any transfer of all or substantially all the property held or used by a person in the course of an activity requiring the holding of a seller's permit, if after the transfer the real or ultimate ownership of the property is substantially similar to that which existed before the transfer. For the purposes of this section, stockholders, bondholders, partners or other persons holding an interest in a corporation or other entity are regarded as having the real or ultimate ownership of the property of the corporation or other entity. In this paragraph, "substantially similar" means 80% or more of ownership.

SECTION 1123m. 77.52 (11) (b) of the statutes is amended to read:

77.52 (11) (b) Any person who receives a notice under sub. (10) (b) may, within 10 days after receipt thereof, but not thereafter, petition the department for a review of the decision not to renew the permit. The petition is timely if it fulfills the requirements under s. 77.61 (14). If the permittee so petitions, the permit shall remain valid until 10 days after the petitioner receives the department's decision. Within 10 days after receipt of the petition, the department shall notify the petitioner of the time and place for a hearing. At the hearing, the petitioner may appear in person or by counsel or both and may present statements, testimony, evidence and argument showing why the department's action to not renew the permit should be reversed. After the hearing, the department shall issue a decision in writing and serve it upon the petitioner by certified mail.

SECTION 1124m. 77.54 (6) (c) of the statutes is amended to read:

~~77.54 (6) (c) Coal, oil, gas and nuclear material~~ Fuel converted to electric energy, gas or steam by utilities and that portion of the amount of ~~coal, oil, gas and nuclear material fuel~~ converted to steam for purposes of resale by persons other than utilities.

SECTION 1124p. 77.54 (9a) (d) of the statutes is amended to read:

77.54 (9a) (d) A sewerage commission organized under s. 144.07 (4) or a metropolitan sewerage district organized under ss. 59.96 or 66.20 to 66.26.

SECTION 1124r. 77.54 (11) of the statutes is amended to read:

77.54 (11) The gross receipts from the sales of and the storage, use or other consumption in this state of motor fuel, general aviation fuel or special fuel, subject to taxation under ch. 78, regardless of whether refundable ~~pursuant to~~ under s. 78.75.

Vetoed  
in Part

~~SECTION 1124t. 77.54 (31) of the statutes is created to read:~~

~~77.54 (31) The gross receipts from the sales of tangible personal property, tickets or admissions by any baseball team affiliated with American Legion baseball.~~

SECTION 1125c. 77.58 (1) (b) of the statutes is amended to read:

77.58 (1) (b) If the amount of tax for any calendar quarter exceeds \$3,000, the department may require by written notice to the taxpayer that the taxes imposed on and after the date specified in the notice are due and payable on the 20th day of the month next succeeding the calendar month for which imposed. The payment is timely if it fulfills the requirements under s. 77.61 (14).

SECTION 1125g. 77.58 (2) (c) of the statutes is created to read:

77.58 (2) (c) Returns and payments under this section are timely if they meet the requirements under s. 77.61 (14).

SECTION 1125h. 77.59 (4) and (6) (intro.) of the statutes are amended to read:

77.59 (4) At any time within 4 years after the due date of the taxpayer's Wisconsin income or franchise tax return or, if exempt, within 4 years of the 15th day of the 4th month of the year following the close of the calendar or fiscal year, a person may, unless a determination by the department by office or field audit has been made, file with the department a claim for refund of taxes paid. A claim is timely if it fulfills the requirements under s. 77.61 (14). The claim for refund shall be regarded as a request for determination. The determination thus requested shall be made by the department within one year after the claim for refund is received by it.

(a) A claim for refund may be made within 2 years of the determination of a tax assessed by office audit if the tax was not protested by the filing of a petition for redetermination and the reporting period had not been closed by field audit prior to the filing of the claim. A claim is timely if it fulfills the requirements under s. 77.61 (14). No claim may be allowed under this paragraph for any tax self-assessed by the taxpayer.

(6) (intro.) Except as provided in sub. (4) (a), a determination by the department is final unless, within 60 days after receipt of the notice of the determination, the taxpayer, or other person directly interested, petitions the department for a redetermination. A petition is timely if it fulfills the requirements under s. 77.61 (14). In the case of notice served by publication, the 60-day period commences with the last day of publication of the notice.

SECTION 1125hm. 77.60 (1) of the statutes is amended to read:

77.60 (1) (a) Except as provided in par. (b), unpaid taxes shall bear interest at the rate of ~~9%~~ 12% per year from the due date of the return until paid or deposited with the department, and all refunded taxes shall bear interest at 9% per year from the due date of the return until the first day of the month following the month in which the taxes are refunded. An extension of time within which to file a return shall not extend the due date of the return for purposes of interest computation.

(b) Any unpaid taxes for a calendar year or a fiscal year resulting from a field audit shall bear interest at the rate of ~~9%~~ 12% per year from the due date of the taxpayer's Wisconsin income or franchise tax return for that calendar or fiscal year or, if exempt, from the 15th day of the 4th month of the year after the close of the calendar or fiscal year for which the taxes are due to the date on which the taxes are paid or, if unpaid, become delinquent, whichever is earlier.

SECTION 1125i. 77.60 (1m) of the statutes is created to read:

77.60 (1m) All nondelinquent payments of additional amounts owed shall be applied in the following order: penalties, interest, tax principal.

~~SECTION 1125m. 77.61 (4) (b) of the statutes is amended to read:~~

~~77.61 (4) (b) For sales and use taxes payable on returns filed for calendar or fiscal years ending before January 1, 1983, for reporting the sales tax and collecting and reporting the use tax imposed on the retailer under s. 77.53 (3) and the accounting connected therewith with it, retailers may deduct one percent of the total sales and use tax payable each reporting period as administration expenses if the payment of the taxes is not delinquent.~~

Vetoed  
in Part

SECTION 1125is. 77.61 (4) (c) of the statutes is created to read:

77.61 (4) (c) For sales and use taxes payable on returns filed for calendar or fiscal years beginning on or after January 1, 1983, for reporting the sales tax and collecting and reporting the use tax imposed on the retailer under s. 77.53 (3) and the accounting connected with it, retailers may deduct 2% of the first \$10,000 of sales and use tax payable each year, one percent of the 2nd \$10,000 of sales and use tax payable each year and 0.5% of the sales and use tax in excess of \$20,000 payable each year as administration expenses if the payment of the taxes is not delinquent.

SECTION 1125j. 77.61 (14) of the statutes is created to read:

77.61 (14) Documents and payments required or permitted under this subchapter are timely furnished, filed or made if they are mailed in a properly addressed envelope with the postage duly prepaid, if the envelope is postmarked before midnight of the due date and if the document or payment is received by the department within 5 days after the prescribed date.

SECTION 1125m. Subchapter IV of chapter 77 of the statutes is created to read:

#### CHAPTER 77

#### SUBCHAPTER IV

#### PROPERTY TAX DEFERRAL

**77.63 Purpose.** The legislature finds that older individuals who have resided in their homes for a substantial period of time have found it difficult to remain in their own homes because their incomes are insufficient to cover property taxes, which have risen as the value of their homes has increased. The legislature finds that it is in the public interest to create a program whereby the home equity accrued to these individuals is made available as security for loans that are applied to the payment of property taxes so that more older individuals can remain in their homes.

**77.64 Definitions.** In this subchapter:

(1) "Coowner" means a natural person who is at least 60 years of age at the time of the participant's initial application and who has an ownership interest in the qualifying dwelling unit of a participant in the program. The names of all coowners shall appear on the initial application of the participant. For purposes of this subchapter, a spouse has an ownership interest in the qualifying dwelling unit of the other spouse.

(2) "Department" means the department of revenue.

(3) "Free and clear" means that rights to transfer full title to the qualifying dwelling unit after satisfaction of permitted obligations are vested in the participant and coowners.

(4) "Participant" means a natural person 65 years of age or older who has been accepted into the program.

(5) "Permitted obligations" means the total amount of outstanding liens and judgments on the qualifying dwelling unit if that amount does not exceed \$5,000. For purposes of this subchapter, housing and rehabilitation loans under s. 560.06 and liens arising under this subchapter shall not be considered outstanding liens or judgments in computing the amount of permitted obligations.

(6) "Program" means the program under this subchapter.

(7) "Qualifying dwelling unit" means a dwelling unit, not including a mobile home as defined in s. 66.058, located in this state, habitable as a permanent residence and to which property taxes are, or may conveniently be, allocated and up to one acre of land appertaining to it held in the same ownership as the dwelling unit. For purposes of this subchapter, "qualifying dwelling unit" includes a unit in a condominium or in a cooperative or in a multi-unit dwelling with 4 or fewer units, but in all of these 3 cases only the portion of taxes allocable to the unit lived in by the participant may qualify for loans under this subchapter.

(8) "Secretary" means the secretary of the department.

**77.65 Eligibility.** The department shall make loans to participants who:

(1) Apply on forms prescribed by the department for a loan to pay property taxes by June 30 of the year in which the taxes are payable on a qualifying dwelling unit;

(2) Reside in the qualifying dwelling unit more than 6 months of the year preceding each year of participation, but temporary residency in a health care facility may be substituted for any portion of this 6-month residency;

(3) Keep continuously in effect during the period that a loan is outstanding under this subchapter a fire and extended casualty insurance policy on the qualifying dwelling unit satisfactory to the department and permit the department to be named on the policy as an insured; and

(4) Either individually or with other coowners own the qualifying dwelling unit free and clear. If the qualifying dwelling unit is owned with coowners, each of these persons must approve the application under sub. (1).

(5) Earned no more than \$20,000 in income, as defined under s. 71.09 (7) (a) 3, in the year prior to the year in which the property taxes for which the loan is made are due.

**77.655 Transfer of interest.** If a participant ceases to reside in a qualifying dwelling unit, and if the participant's total ownership interest in the qualifying dwelling unit is transferred to one or more coowners in that unit, a coowner may assume the participant's account by applying to the department if the coowner resides in the qualified dwelling unit. Upon approval of the application, and if the coowner is 65 years of age or older, the coowner shall become a participant in the program and shall qualify for program loans. A coowner who has not attained the age of 65 at the time of application under this section may assume the account of a participant but shall not become a participant or qualify for program loans until the coowner attains the age of 65. Additional coowners may not be added to the loan agreement after the initial application under s. 77.65 (1) has been accepted by the department.

**77.66 Program operation.** (1) The department may enter into agreements with participants and their coowners to loan funds to pay property taxes on their qualifying dwelling units. The maximum loan under this subchapter in any one year is limited to \$1,800 or the amount of property taxes levied on the qualifying dwelling unit for the year for which the loan is sought, whichever is less. Loans shall bear interest at a rate determined by the secretary to be sufficient to meet all expenses arising from the operation of the program.

(2) The department shall have all powers that are reasonably appropriate to the operation of a loan program, including, without limitation because of enumeration, the power to enter into contracts, to pay or be paid for the performance of services, to exercise all rights of a mortgagee and to perform other administrative actions that are necessary in the conduct of its duties under this subchapter.

(3) The department shall promulgate rules and establish procedures under which applications for loans may be submitted, reviewed and approved; under which repayment of loans are to be obtained; under which disputes and claims are to be settled; and under which records are to be maintained.

(4) The department may enter into loan agreements with participants and coowners who agree:

(a) To give the department a lien on the qualifying dwelling unit in respect to which the application is made in the amount of the loan and of the charges under par. (c);

(b) To repay the loan upon the transfer of the qualifying dwelling unit by any means except as provided in s. 77.655 or through the participant's estate upon death if the participant is the sole owner or through the estate of the last surviving coowner who owns the qualifying dwelling unit, or upon discovery by the department that a participant or coowner has made a false statement on the application or otherwise in respect to the program, or upon condemnation or involuntary conversion of the qualifying dwelling unit, or if a participant ceases to meet the eligibility requirements of s. 77.65 except as provided in sub. (5) or fails to comply with the provisions of this subsection or, at the participant's or coowner's election, at any time before any of the events enumerated in this paragraph occurs;

(c) To pay, upon repayment of the loan, interest specified in the loan agreement; and

(d) To limit the outstanding liens and judgments on the qualifying dwelling unit to no more than the permitted obligations.

(5) If a participant in the program ceases to meet the eligibility requirements of this section, the department, rather than demanding repayment under sub. (4) (b), may allow the participant to continue in the program, may allow the participant to continue in the program but be ineligible for additional loans, or may require partial settlement.

(6) At any time after an application is filed, the department may verify the correctness of the application and any other information regarding the eligibility of the participant. If the department finds that at the time a participant received a loan the participant was not eligible under the program, the department shall notify the participant and may require repayment of the loan as determined by the department.

(7) (a) The department, its agents or representatives may examine the books and records of an applicant under this subchapter or other sources of information bearing on the application to verify the information provided by an applicant, may require the production of books, records and memoranda and may require testimony and proof relevant to its investigation. If a person fails to furnish information requested by the department to verify the correctness of the application, the department may reject the application.

(b) Any person who intentionally files fraudulent information with the department for purposes of obtaining benefits under this subchapter may be fined not more than \$10,000 or imprisoned not more than 5 years or both, together with the cost of prosecution.

(8) A person aggrieved by the department under this subchapter may appeal that decision to the circuit court of the county where the person's residence is located within 60 days after receipt of notification of the department's decision.

(9) The department shall record all liens under sub. (4) (a) on the title for the property for the amount of the loan, accrued interest and other charges.

(10) If the property taxes are paid under the program after they are due, the participant is not liable for a penalty for delinquency under ss. 74.03 (4) and (6) and 74.031 (3), (5) and (6).

**77.67 Loan funding.** (1) Loans made or authorized to be made under this subchapter may be funded from the proceeds of revenue obligations issued subject to and in accordance with sub. (5) and subch. II of ch. 18.

(2) The department may create a system of funds and accounts, separate and distinct from all other funds and accounts of the state, consisting of revenues received under sub. (5), all revenues received in the repayment of loans made under this subchapter and any other revenues dedicated to it by the department. The department may pledge revenues received or to be received by this system of funds and accounts to secure revenue obligations issued for the program. The department shall have all other powers necessary and convenient to distribute the proceeds of the revenue obligations and loan repayments in accordance with subch. II of ch. 18.

(3) The department may enter into agreements with the federal government, its agencies, other agencies or political subdivisions of this state or private individuals or entities to insure or in other manner provide additional security for the loans or revenue obligations issued under this section.

(4) The department may promulgate rules that restrict eligibility in addition to the requirements of s. 77.65 or require the provision of additional security if, in the secretary's judgment, the rules or security are required for the satisfactory issuance of revenue obligations.

(5) Revenue obligations may be contracted by the building commission when it reasonably appears to the commission that all obligations incurred under this section can be fully paid from moneys received or anticipated and pledged to be received on a timely basis. Revenue obligations issued for the program shall not exceed \$10,000,000 in principal amount, excluding obligations issued to refund outstanding revenue obligation notes.

(6) Unless otherwise expressly provided in resolutions authorizing the issuance of revenue obligations or in other agreements with the holders of revenue obligations, each issue of revenue obligations shall be on a parity with every other revenue obligation issued for the program and in accordance with subch. II of ch. 18.

SECTION 1126m. Chapter 78 (title) of the statutes is amended to read:

CHAPTER 78

MOTOR VEHICLE AND GENERAL AVIATION FUEL TAXES

SECTION 1127. 78.01 (1) of the statutes is amended to read:

78.01 (1) An excise tax of 9 ~~13~~ cents per gallon is imposed on all motor fuel sold, used or distributed in this state except as otherwise provided in this chapter. The motor fuel tax is to be computed and paid as provided in this chapter. Except as otherwise provided in this chapter, the wholesaler, as defined in s. 78.08, shall collect from the purchaser and the purchaser shall pay to the wholesaler the tax imposed by this section on each sale of motor fuel by the wholesaler at the time of the sale, irrespective of whether the sale is for cash or on credit. In each subsequent sale or distribution of motor fuel on which the tax has been collected as provided in this subsection, the tax collected shall be added to the selling price so that the tax is paid ultimately by the user of the motor fuel.

SECTION 1127g. 78.04 (1) of the statutes is amended to read:

78.04 (1) All products commonly or commercially known or sold as gasoline or naphtha (except commercial or industrial naphthas or solvents or general aviation fuels as defined in s. 78.55 (3) for exclusive use other than as a fuel for motor vehicles) regardless of their classification or uses;

SECTION 1127m. 78.13 (2) of the statutes is amended to read:

78.13 (2) FINAL REPORTS. Every wholesaler shall, upon the discontinuance, sale or transfer of the business or upon the cancellation or revocation of a license except ~~as otherwise provided in~~ for a cancellation or revocation under s. 78.68, make a report as required under s. 78.12 and pay all motor fuel taxes and penalties due the state. Such payment shall be to the public depository if one has been designated pursuant to s. 78.84, but otherwise to the department.

SECTION 1130. 78.14 of the statutes is amended to read:

**78.14 Tax paid is public money.** Every wholesaler who sells or distributes any motor fuel for any purpose in this state shall collect from the purchaser at the time of the sale or distribution 9 13 cents per gallon on all motor fuel sold or distributed. All sums paid by the purchaser to the wholesaler as taxes upon the motor fuel, upon which the tax imposed by this chapter has not been paid previously, are public money, the property of this state.

SECTION 1131. 78.22 of the statutes is created to read:

**78.22 Motor fuel floor tax imposed; procedures.** (1) FLOOR TAX IMPOSED. On the date any motor fuel tax rate change becomes effective under s. 78.01, a floor tax is hereby imposed upon every person who is in possession of any motor fuel held for sale or resale and on which the motor fuel tax already has been imposed. The person shall determine the volume of motor fuel and shall file with the department by the 15th day of the month in which the new tax rate becomes effective a return, together with any tax due on it, determined in accordance with sub. (2).

(2) FLOOR TAX OR REFUND COMPUTATION. The amount of any motor fuel floor tax or refund shall be computed by multiplying the number of gallons of motor fuel held in inventory as determined under sub. (1) by the difference between the tax rate already paid and the new tax rate, and the resulting figure shall be expressed in dollars.

(3) ADMINISTRATION. (a) Sections 71.10 (10) (d) to (g), 71.11 (16), (17), (19), (20), (22) and (23), 71.12 to 71.135, 73.01 and 73.015 apply to the administration of this section.

(b) The department shall provide the tax return form required under this section.

(4) LATE FILING FEE. Any person who fails to file a motor fuel floor tax return when due shall be required to pay a late filing fee of \$10. A return shall be considered filed in time if it is mailed in a properly addressed envelope with 1st class postage duly prepaid and the envelope is officially postmarked on the date due and the return is actually received by the department within 5 days of the due date.

(5) DELINQUENT INTEREST. If the tax imposed in this section is not paid when due, interest at the rate of 1.5% per month accrues from the date the tax became due until paid.

(6) PENALTY. If any person liable for the tax files a false or fraudulent return, there shall be added to the tax an amount equal to the tax the person evaded or attempted to evade.

SECTION 1132. 78.40 (1) of the statutes is amended to read:

78.40 (1) An excise tax of 9 13 cents per gallon is imposed on the use, as defined in s. 78.44, of special fuel. The tax, with respect to all special fuel delivered by a special fuel dealer into supply tanks of motor vehicles in this state, attaches at the time of delivery and shall be collected by the dealer from the special fuel user and shall be paid to the department. The tax, with respect to special fuel acquired by any special fuel user other than by delivery by a special fuel dealer into a fuel supply tank of a motor vehicle, attaches at the time of the use of the fuel and shall be paid to the department by the user. The department may permit any supplier of special fuel to report and pay to the department the tax on special fuel delivered into the storage facility of a special fuel user which will be consumed for special fuel tax purposes.

SECTION 1132m. 78.43 of the statutes is amended to read:



**78.43 Special fuel defined.** “Special fuel” means ~~and includes~~ all combustible gases and liquids suitable for the generation of power for propulsion of motor vehicles, except that it does not include motor fuel as defined in s. 78.04 or general aviation fuel as defined in s. 78.55 (3).

SECTION 1133g. 78.49 (1) of the statutes is renumbered 78.49 (1) (a) and amended to read:

78.49 (1) (a) For the purpose of determining the amount of his liability to the state for the tax herein imposed, ~~except as provided in par. (b),~~ each special fuel licensee shall, not later than the 20th day of each month, file a monthly report for the next preceding month with the department on forms furnished and prescribed by it. Such report shall contain a declaration by the special fuel licensee that the statements contained therein are accurate and are a true return of the amount of special fuel tax due and shall be subscribed by the special fuel licensee or ~~his~~ the licensee’s duly authorized agent. The report shall show, with reference to each location at which special fuel is delivered or placed by such special fuel licensee into a fuel supply tank of any motor vehicle, such information as the department may reasonably require for the proper administration and enforcement of the special fuel tax. The department shall give due consideration to the varying types of operations and transactions in specifying the information required.

SECTION 1133m. 78.49 (1) (b) of the statutes is created to read:

78.49 (1) (b) The department may allow special fuel licensees whose tax liability is less than \$500 per quarter to file on a quarterly basis. Quarterly reports shall be mailed on or before the 20th day of the next month following the end of each calendar quarter. The report shall contain the declaration, subscription and information specified in par. (a).

SECTION 1133p. 78.49 (3) of the statutes is amended to read:

78.49 (3) COMPUTATION OF TAX. Each special fuel licensee at the time of making the monthly ~~or quarterly~~ report shall compute and pay to the public depository if one has been designated under s. 78.84, but otherwise directly to the department, the full amount of the special fuel tax for the next preceding month or quarter. The amount of the special fuel tax shall be computed as follows: the number of gallons of special fuel delivered or placed by the special fuel licensee into the fuel supply tanks of motor vehicles shall be multiplied by the amount provided in s. 78.40 (1) and the resulting figure shall be the amount of the special fuel tax for the next preceding month or quarter.

SECTION 1134c. 78.50 (2) of the statutes is amended to read:

78.50 (2) FINAL REPORT. Every special fuel licensee shall, upon such cessation, sale or transfer of the business or upon the cancellation or revocation of a license, ~~except as otherwise provided in for a cancellation or revocation under s. 78.68,~~ make a report as required in s. 78.49 and pay all special fuel taxes and penalties due the state. Such payment shall be to the public depository if one has been designated pursuant to s. 78.84, but otherwise to the department.

SECTION 1134g. Subchapter III of chapter 78 of the statutes is renumbered subchapter IV of chapter 78, and subchapter IV (title) of chapter 78, as renumbered, is amended to read:

CHAPTER 78  
SUBCHAPTER IV  
PROVISIONS COMMON TO MOTOR FUEL TAX,  
GENERAL AVIATION FUEL TAX  
AND SPECIAL FUEL TAX

SECTION 1134m. Subchapter III of chapter 78 of the statutes is created to read:

CHAPTER 78  
SUBCHAPTER III  
GENERAL AVIATION FUEL TAX

**78.55 Definitions.** In this chapter:

- (1) "Air carrier company" has the meaning prescribed in s. 76.02 (5a).
- (2) "Aircraft" means any contrivance, except those owned by an air carrier company, invented, used or designed for navigation or flight in the air.
- (3) "General aviation fuel" means products placed in the fuel supply tank of aircraft, commonly or commercially known as aviation gasoline and jet turbine fuel and other combustible gases and liquids suitable for the generation of power for propulsion of aircraft.
- (4) "General aviation fuel dealer" means any person, including the state and any political subdivision of the state, but not including the United States or its agencies, in the business of handling general aviation fuel who places any part of the fuel into the fuel supply tank of an aircraft not then owned by that person or into the bulk storage facilities of a general aviation fuel user.
- (5) "General aviation fuel user" means the owner or other person, including the state and any political subdivision of the state, but not including the United States or its agencies or air carrier companies, who is responsible for the operation of an aircraft at the time general aviation fuel is placed in the fuel supply tank of the aircraft while the aircraft is within this state.

**78.555 Tax imposed; rate; collected.** An excise tax of 6 cents per gallon is imposed on all general aviation fuel sold, used or distributed in this state except as otherwise provided in this chapter. The general aviation fuel tax is to be computed and paid as provided in this chapter. Except as otherwise provided in this chapter, the general aviation fuel licensee, shall collect from the purchaser and the purchaser shall pay to the licensee the tax imposed by this section on each sale of general aviation fuel by the licensee at the time of the sale, irrespective of whether the sale is for cash or on credit. In each subsequent sale or distribution of general aviation fuel on which the tax has been collected as provided in this subsection, the tax collected shall be added to the selling price so that the tax is paid ultimately by the user of the general aviation fuel.

**78.56 General aviation fuel license.** No person may act as a general aviation fuel dealer in this state unless the person is the holder of a valid general aviation fuel license issued to the person by the department.

**78.57 Application; form; investigation; bond; issue.** (1) **FORM.** Application for a general aviation fuel license shall be made on a form prepared and furnished by the department. It shall be subscribed by the applicant and shall contain such information as the department may reasonably require for the administration of this chapter.

(2) **INVESTIGATION.** The department shall investigate each applicant. No license may be issued if the department determines that:

- (a) The application was not filed in good faith;
- (b) The applicant is not the real party in interest and the license of the real party in interest has been revoked for cause; or
- (c) Other reasonable cause for nonissuance exists.

(3) **HEARING.** Before refusing to issue a license, the department shall grant the applicant a hearing of which he or she shall be given at least 5 days' advance written notice.

(4) **ISSUE.** If the application and bond are approved, the department shall issue a license in as many copies as the licensee has places of business for which a general aviation fuel license is required.

(5) **TERM OF LICENSE.** A general aviation fuel license is valid until suspended, revoked for cause or canceled.

(6) **TRANSFER FORBIDDEN.** A general aviation fuel license is not transferable to another person or to another place of business.

(7) **DISPLAY OF LICENSE.** Each license shall be preserved and conspicuously displayed at the place of business for which issued.

(8) **DISCONTINUANCE.** Upon the discontinuance of the business licensed at any place, the copy of the license issued for that place shall be immediately surrendered to the department.

(9) **BOND.** (a) To protect the revenues of this state, the department may require any person liable to the department for the tax imposed by this subchapter to place with it, either before or after a general aviation fuel license is issued, security in an amount which the department determines. The amount of security required may be increased or decreased as the department deems necessary, but may not exceed \$25,000. If an applicant or licensee fails or refuses to place such security, the department may refuse to issue or may revoke the license. If any taxpayer is delinquent in the payment of taxes imposed by this subchapter, the department may, upon 10 days' advance written notice, recover the taxes, interest, penalties, cost and disbursements from the taxpayer's security placed with the department. No interest may be paid or allowed by the state to any person for the deposit of the security.

(b) The security required by this subsection may be in the form of a surety bond furnished to the department payable to the state to secure payment of any and all general aviation fuel taxes, interest and penalties accrued under this subchapter, together with costs and disbursements incurred in the collection thereof. The department shall prescribe the form and contents of the bond.

(c) Section 78.11 (2) to (4), regarding wholesalers' bonds, also applies to bonds furnished by general aviation fuel applicants and licensees under this subsection.

**78.58 Reports to department; computation of tax.** (1) **REPORTS OF GENERAL AVIATION FUEL LICENSEES.** (a) For the purpose of determining the amount of the licensee's liability to the state for the tax imposed by this subchapter, except as provided in par. (b), each general aviation fuel licensee shall, not later than the 20th day of each month, file a monthly report for the next preceding month with the department on forms furnished and prescribed by it. The report shall contain a declaration by the licensee that the statements contained therein are accurate and are a true return of the amount of general aviation fuel tax due and shall be subscribed by the licensee or the licensee's duly authorized agent. The report shall show, with reference to each location at which general aviation fuel is delivered or placed by the licensee into a fuel supply tank of any aircraft, such information as the department may reasonably require for the proper administration and enforcement of the general aviation fuel tax. The department shall give due consideration to the varying types of operations and transactions in specifying the information required.

(b) The department may allow a licensee whose tax liability is less than or equal to \$500 per quarter to file on a quarterly basis. The licensee shall mail the quarterly report for the next preceding quarter to the department on or before the 20th day of each quarter.

(2) **REPORTS OF OTHERS.** Any person, not a general aviation fuel licensee, who places any general aviation fuel in the fuel supply tank of an aircraft in this state upon which the general aviation fuel tax has not been paid or the liability therefor has not been incurred by any general aviation fuel licensee in this state, shall file a report and make payment of the tax on the general aviation fuel and shall be subject to this chapter in the same manner as is provided for general aviation fuel licensees.

(3) **COMPUTATION OF TAX.** (a) Each general aviation fuel licensee at the time of making the monthly or quarterly report shall compute and pay to the public depository if one has been designated under s. 78.84, but other wise directly to the department, the full amount of the general aviation fuel tax for the next preceding month or quarter, which shall be computed as follows: the number of gallons of general aviation fuel placed into

the fuel supply tanks of an aircraft or into bulk storage facilities by the general aviation fuel licensee, multiplied by 0.06 and the resulting figure expressed in dollars.

**78.59 Notice by general aviation fuel licensee of cessation, sale or transfer of business; final report.** (1) **NOTICE REQUIRED.** Whenever any general aviation fuel licensee ceases to perform any of the acts for which a general aviation fuel license is required, the licensee shall notify the department in writing. The notice shall give the date of cessation and, in the event of sale or transfer of the business, the name and address of the purchaser or transferee thereof.

(2) **FINAL REPORT.** Every general aviation fuel licensee shall, upon such cessation, sale or transfer of the business or upon the cancellation or revocation of a license except for a cancellation or revocation under s. 78.68, make a report as required in s. 78.58 and pay all general aviation fuel taxes and penalties due the state. Such payment shall be to the public depository if one has been designated under s. 78.84, but otherwise to the department.

**78.60 Theft of general aviation fuel tax moneys.** All sums paid by a purchaser of general aviation fuel to any general aviation fuel dealer as general aviation fuel taxes, which have not theretofore been paid to the state, are public moneys, the property of this state. Any general aviation fuel dealer who fails or refuses to pay over to the state the tax on general aviation fuel at the time required in this chapter or who fraudulently withholds or appropriates or otherwise uses such moneys or any portion thereof belonging to the state is guilty of theft and shall be punished as provided by law for the crime of theft, irrespective of whether such general aviation fuel dealer has or claims to have any interest in such moneys so received.

**78.61 Presumption.** For the purpose of enforcing this chapter, it is prima facie presumed that all general aviation fuel received by an general aviation fuel dealer or a general aviation fuel user into storage and dispensing equipment designed to fuel aircraft is to be transferred or delivered by the dealer or user into the supply tanks of aircraft.

**78.62 Exemptions.** This subchapter does not apply to aviation fuel delivered to or used by the United States or its agencies or to an air carrier company.

SECTION 1134p. 78.65 (1) and (2) of the statutes are amended to read:

78.65 (1) If a wholesaler fails to maintain at any licensed location the minimum storage capacity for active use required by s. 78.09 (1) or if a wholesaler, general aviation fuel licensee or special fuel licensee violates any provision of this chapter, and the department deems good cause exists for suspension or revocation by reason of such violation, it may suspend such person's license, or, after a hearing of the charges is held, it may revoke such license. No license ~~shall~~ may be suspended unless the holder ~~thereof of the license~~ has been notified of a hearing to be held on the charges and no license ~~shall~~ may be revoked until after the holder ~~thereof of the license~~ has been notified of a hearing and has been afforded an opportunity to appear and testify. The department shall notify the licensee in writing of the time and place a hearing of the charges shall be held. ~~Such~~ The notice shall contain a statement of the alleged violation, and shall be served upon the licensee at least 10 days prior to the hearing, either by personal delivery to the licensee, or by mailing by registered mail to the address of the licensee as shown in the application. At the time and place fixed in the notice, the department shall proceed to a hearing of the charges, and the licensee shall be afforded an opportunity to present in person or by counsel statements, testimony, evidence and argument pertinent to the charges or to any defense thereto. The department may continue ~~such~~ the hearing from time to time but not more than 60 days. After ~~such~~ the hearing, the department shall rescind the order of suspension, if any, and for good cause shown shall either suspend the license for a given period of time or revoke the license.

(2) No hearing shall be afforded in those instances where the licensee has automatically revoked his or her license ~~pursuant to~~ under s. 78.11, 78.57 (9) or 78.68.

SECTION 1134s. 78.66 (title), (1) and (2) of the statutes are amended to read:

**78.66 (title) Records to be kept by wholesalers and general aviation and special fuel licensees.** (1) Every wholesaler, general aviation fuel licensee and special fuel licensee shall keep a record of all purchases, receipts, sales, distribution and consumption of each kind or trade name of motor fuel, crude petroleum, general aviation fuel and special fuel.

(2) Every licensee shall keep true and accurate records of all stocks of motor fuel, crude petroleum, general aviation fuel and special ~~fuels~~ fuel on hand. Every licensee shall take a physical inventory of motor fuel, crude petroleum, general aviation fuel and special ~~fuels~~ fuel on hand at each licensed location at the close of business on the last day of every month.

SECTION 1134u. 78.68 (1), (2), (4) (intro.) and (5) of the statutes are amended to read:

**78.68 (1) (title) CALENDAR MONTH OR QUARTER REPORT AND TAX, PROCEDURE, PENALTIES.** (a) If any licensee fails, neglects or refuses to file a motor fuel, general aviation fuel or special fuel tax report for any calendar month or quarter when due, the department shall send a written demand to file ~~such the~~ report to the licensee by ~~certified~~ mail addressed to the licensee at the address of the licensee's principal place of business. A penalty of \$5 is imposed for failure, neglect or refusal to file ~~such the~~ report when due. If ~~such the~~ report is not filed and the penalty paid within 10 days from the date the licensee received the department's demand the license of the licensee shall be automatically revoked.

(b) If any licensee fails, neglects or refuses to make the tax payment for any calendar month or quarter when due, the department shall send a written demand for payment to the licensee by ~~certified~~ mail addressed to the licensee at the address of the licensee's principal place of business. A penalty of \$10 is imposed for the first failure, neglect or refusal within a calendar year to make ~~such the~~ tax payment when due and a penalty of 2% of the tax due but not less than \$10 is imposed for each successive failure, neglect or refusal to make ~~such the~~ tax payment when due within the same calendar year. If tax remittance was made when due but by a defective bank check, the department may waive the penalty if it appears to the department that the defect was not intentional and the defect is corrected promptly. If ~~such the~~ tax and penalty are not paid within 10 days from the date the licensee received the department's demand, the license of the licensee shall be automatically revoked and the department shall determine the amount of tax due and shall proceed to collect the motor fuel, general aviation fuel or special fuel tax and penalty as provided in this chapter.

(c) If any unlicensed person is required for the first time to file a report and make tax remittance as provided in this chapter but fails or neglects to timely file ~~such the~~ report and make timely tax remittance, and if ~~such the~~ report or reports are voluntarily filed and the taxes are paid within one year from the date when the reports and taxes were due, a penalty of 2% of the amount of the tax imposed under ss. 78.01 ~~and~~, 78.40 and 78.555 shall be assessed plus the penalty under par. (a).

(2) **INCORRECT OR INCOMPLETE REPORTS, UNPAID TAX, TAX ESTIMATED, PENALTIES.** If any licensee makes and files any incorrect or incomplete report, or fails, neglects or refuses to pay all the tax for any calendar month or quarter, the department shall estimate the motor fuel, general aviation fuel or special fuel receipts or distributions of the licensee, based upon such information as is available in its office or elsewhere, and shall determine the amount of any motor fuel, general aviation fuel or special fuel tax still due from the licensee and shall add to that amount a penalty of 2% ~~thereof of the tax due~~. If it appears to the department that any unpaid tax was due to an unintentional miscalculation on the report, the 2% penalty shall be waived. The department may also waive any penalty amounting to \$6 or less if it is in the best interest of the state to do so. The amount so fixed shall be prima facie evidence of the correctness of the estimate. The department shall

mail a written demand for any amended report required and for payment of the tax and penalty to the licensee at his or her principal place of business. If ~~such the~~ amended report is not filed or if the tax and penalty due are not paid within 2 months from the date of ~~such the~~ demand, his or her license shall be automatically revoked and the department shall prepare ~~such the~~ amended report and proceed to collect ~~such the~~ motor fuel, general aviation fuel or special fuel tax and penalty as herein provided.

(4) INTEREST. (intro.) In addition to the penalties imposed by this section, delinquent motor fuel, general aviation fuel and special fuel taxes shall bear interest at the rate of 1.5% per month until paid. The taxes imposed by this chapter become delinquent if not paid:

(5) TAX EVASION PREVENTED. Before any tax becomes due, if the department has reason to believe that any licensee intends or is likely to evade or attempt to evade payment of ~~such the~~ tax when due, or intends or is likely to convey, dispose of, or conceal his or her property or abscond from the state, or do any other act which would render the state insecure in collecting ~~such the~~ tax when due, the department may demand payment forthwith of all taxes upon all motor fuel received (as defined in s. 78.07), general aviation fuel placed in the fuel supply tank of an aircraft or in bulk storage facilities or special fuel used (as defined in s. 78.44) by said the licensee, which shall immediately become payable and collectible as if delinquent, and the property of ~~such the~~ licensee shall be subject to attachment as provided in s. 78.70.

SECTION 1134w. 78.70 (1) (i) (intro.) of the statutes is amended to read:

78.70 (1) DEPARTMENT AUTHORITY. (intro.) The department may collect delinquent motor vehicle fuel and general aviation fuel taxes in the manner provided for the collection of delinquent income and franchise taxes under ss. 71.13 and 71.135, including proceeding under the authority incorporated by reference in s. 71.13 (3) (i) and the authority to:

SECTION 1134z. 78.70 (2) of the statutes is amended to read:

78.70 (2) ATTACHMENT. Said Delinquent motor fuel, general aviation fuel or special fuel tax shall also be collectible and enforceable by a writ of attachment brought by the attorney general or district attorney in the name of the state against the lands, goods, chattels, credits or other personal property of the licensee, and for the purpose of this section, said the licensee shall be deemed to be a nonresident of ~~the this state of Wisconsin~~, and such attachment shall be governed in all respects by the provisions of law relating to attachments against nonresidents, but no attachment bond shall be required of the state, nor shall an indemnity bond be required or demanded of any sheriff or constable serving such writ of attachment, and no sheriff or constable shall be liable in damages on account of levying any attachment when acting under the direction of the attorney general or ~~such~~ district attorney.

SECTION 1135c. 78.70 (4) of the statutes is amended to read:

78.70 (4) ASSESSMENT CONSTITUTES PRIMA FACIE EVIDENCE. In any action or proceeding for the collection of the tax from the licensee, or any penalties imposed in connection therewith, an assessment by the department, made pursuant to this chapter, of the amount of the motor fuel, general aviation fuel or special fuel taxes, or any penalties imposed in connection therewith, due from the licensee, shall constitute prima facie evidence of the claim of the state, and the burden of proof shall be upon the licensee to show that the assessment was incorrect and contrary to law.

SECTION 1135m. 78.71 of the statutes is amended to read:

**78.71 (title) Motor fuel, general aviation fuel and special fuel taxes are preferred claims.** (1) If the property of any licensee is seized upon any mesne or final process of any court of this state, or when the business of any licensee is suspended by the action of creditors or put into the hands of any assignee, receiver or trustee, all motor fuel, general

aviation fuel or special fuel tax moneys and penalties due the state from ~~such the~~ licensee shall be considered preferred claims and the state shall be a preferred creditor and shall be paid in full.

(2) If the property of any consumer of motor ~~fuels fuel~~, general aviation fuel or special ~~fuels fuel~~ is seized upon any mesne or final process of any court of this state, or when the business of any ~~such~~ consumer of motor ~~fuels fuel~~, general aviation fuel or special ~~fuels fuel~~ is suspended by the action of creditors or put into the hands of any assignee, receiver or trustee, all amounts due any licensee for motor fuel, general aviation fuel or special fuel taxes paid to the state by ~~such the~~ licensee on motor fuel, general aviation fuel or special fuel purchased from it by ~~such the~~ consumer shall be considered preferred claims and ~~such the~~ licensee shall be a preferred creditor to that extent and shall be paid in full for such taxes paid.

SECTION 1135t. 78.73 (1) (e) of the statutes is amended to read:

78.73 (1) (e) Uses any false or fictitious name or address when purchasing or obtaining motor fuel, general aviation fuel or special fuel from any source for sale or consumption in this state may be fined not more than \$500 or imprisoned not more than 6 months or both.

SECTION 1136c. 78.77 of the statutes is amended to read:

**78.77 Registration of transporters; records to be kept.** (1) No person shall may transport motor fuel, general aviation fuel or special fuel by truck, trailer, semitrailer or other vehicle on any highway in this state ~~(a)~~ from a point without this state to a point within this state, or ~~(b)~~ from a point within this state to a point without this state, or ~~(c)~~ for hire as defined in s. 194.01 (15), unless each ~~such~~ vehicle so used is registered with the department and unless the registration number furnished by the department for the vehicle ~~preceded by the letters W.D.T. or W.D.R. prior to June 30, 1972, and by the letters W.D.R. on and after June 30, 1972, is prominently displayed thereon on the vehicle~~ by painting the same on each side and on the rear of the vehicle in characters not less than 5 inches in height with a stroke not less than three-fourths inch in width. The registration shall expire annually on June 30. Application for registration shall be upon forms prescribed by the department and shall furnish such information concerning the applicant as the department requires. The application shall show the name and address of the applicant, a description of the truck, trailer, semitrailer or other vehicle, the license number and the state in which issued, the name and address of the licensee, the capacity in gallons of the fuel tank or tanks, the serial number of the trailer, semitrailer or other vehicle, and the serial and motor number of any truck.

(2) Every person transporting motor fuel, general aviation fuel or special fuel upon the highways of this state, who obtains the motor fuel, general aviation fuel or special fuel from a refinery, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture shall, while transporting the motor fuel, general aviation fuel or special fuel, carry a copy of the loading ticket or manifest prepared and furnished by the refiner, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture where loaded, which shall be serially numbered and shall show the date of loading, name of refinery, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture where loaded, point of origin, destination, name of shipper, kind of motor fuel, general aviation fuel or special fuel and number of gallons. Each ~~such~~ shipment of motor fuel, general aviation fuel or special fuel by truck, trailer, semitrailer or other vehicle shall have one manifest, and only one, covering the entire load. Delivery of any ~~such~~ shipment may be made to one or more unlicensed places of business at the direction of the licensed wholesaler or general aviation fuel dealer whose name and address appear on the manifest and for whose account the shipment is made if the licensed wholesaler's or general aviation fuel dealer's copy of the manifest is supported by delivery tickets each showing the manifest number and complete information concerning the delivery and the original or copy of the delivery ticket is at the time of delivery presented to the person to whom any part of

the shipment is delivered, except any remaining balance from ~~such~~ the shipment after ~~such~~ the deliveries may be delivered to any licensed place of business within this state of the licensed wholesaler or general aviation fuel dealer for whose account such shipment was made, but no ~~such~~ balance shall be returned to the place of origin. No shipment of motor fuel, general aviation fuel or special fuel originating at a refinery, marine terminal, pipeline terminal, pipeline tank farm or place of manufacture in this state shall be delivered in part to a location within this state and in part to a location without this state. Every person ~~so~~ transporting motor fuel, general aviation fuel or special fuel shall keep complete and accurate records of all motor fuel, general aviation fuel and special fuel ~~so~~ transported.

(3) Any person who transports motor fuel, general aviation fuel or special fuel upon the highways of this state by truck, tractor, trailer, semitrailer or any vehicle which is not required to be registered under sub. (1) shall have his or her name and address painted on each side of the vehicle not less than 5 inches in height; if the vehicle is operated by a licensee duly licensed in this state, the trade insignia or trade name regularly used by such licensee for tank vehicle identification together with the name of the city from which the vehicle is customarily operated may be substituted for the name and address of the licensee. ~~Such~~ Each such person shall keep complete and accurate records of all motor fuel, general aviation fuel or special fuel purchased, consumed, sold or otherwise distributed.

(4) No person transporting motor fuel, general aviation fuel or special fuel upon the highways of this state or any person who has custody of the records of motor fuel, general aviation fuel or special fuel transported upon the highways of this state ~~shall~~ may refuse at any time to divulge to the department, its agents or employes any information demanded by the department, its agents or employes concerning motor fuel, general aviation fuel or special fuel transported or being transported.

(5) Book records, sales tickets, invoices, delivery tickets, bills of lading, loading tickets or manifests, and other papers pertaining to the transportation, purchase, sale or distribution of motor fuel, general aviation fuel and special fuel shall be retained for a period of 3 years and during ~~such~~ that time shall be subject to inspection by the department.

SECTION 1136m. 78.78 (1) of the statutes is amended to read:

78.78 (1) Every agent or employe of every railroad company, street, suburban or interurban railroad company, ~~pipe-line~~ pipeline company, motor truck or motor tank car company, water transportation company, and every other common carrier transporting motor fuel, general aviation fuel or special fuel, either in interstate or ~~in~~ intrastate commerce, which originates at or is destined to a point in this state, and every person transporting motor fuel, general aviation fuel or special fuel interstate, which transportation originates at or is destined to a point in this state, who has the custody of books and records showing ~~such~~ the transportation, shall report all ~~such~~ the transportation to the department on forms prescribed and furnished by it. This subsection shall not apply to local distribution of motor fuel by persons in bordering states licensed by the department under s. 78.09 (2) (a) for motor fuel distributed by them into the local trading area specified or to persons in this state similarly licensed by a bordering state for comparable purposes.

SECTION 1136p. 78.80 of the statutes is amended to read:

**78.80 Visitorial and inquisitorial power of department; information and evidence not public; penalty for disclosing same.** (1) The department, or any deputy, employe or agent appointed in writing, is authorized at any time during the business day to examine the books, records, papers, receipts, invoices, storage tanks and any equipment of any wholesaler, broker, dealer, general aviation fuel licensee, special fuel licensee or other person, purchaser or common carrier, pertaining to motor fuel, crude petroleum, general aviation fuel or special ~~fuels~~ fuel to verify the truth and accuracy of any statement, report or



return, or to ascertain whether or not the taxes imposed by this chapter have been paid or to determine the financial responsibility of any licensee for the payment of motor fuel, general aviation fuel or special fuel taxes. The department is further authorized to redetermine taxes and to allow credits for overpayments due to error.

(2) The department may hold hearings, issue subpoenas, administer oaths to witnesses, take the sworn testimony of any person and cause it to be transcribed into writing and conduct such investigations as it may deem necessary. If any wholesaler, broker, dealer, general aviation fuel licensee, special fuel licensee, purchaser or common carrier, or any other person refuses access to the books, records, papers, receipts, invoices, storage tanks and other equipment, and if any witness fails or refuses to obey any subpoena or fails or refuses to testify before the department, then the department shall certify the names and facts to any court of competent jurisdiction and the court shall enter such order as the enforcement of this chapter and justice shall require.

(3) Section 71.11 (44) (a) and (c) to (h), relating to confidentiality of income and gift tax returns, applies to any information obtained from any person on a motor fuel, general aviation fuel or special fuel tax return, report, schedule, exhibit or other document or from an audit report pertaining to the same.

SECTION 1136t. 78.84 of the statutes is amended to read:

**78.84 Public depository.** Each wholesaler shall pay motor fuel taxes, each general aviation fuel licensee shall pay general aviation fuel taxes and each special fuel licensee shall pay special fuel taxes directly to such the public depository in this state as the department of administration designates ~~therefor~~ under s. 34.05, to the credit of the transportation fund, if such public depository, prior to such designation, agrees to supply the department of revenue with such the deposit reports at such times as the department deems necessary for the proper administration of this chapter. Upon not less than 6 months' notice to a public depository designated under this section, the secretary of revenue may determine that the taxes required to be remitted by wholesalers, general aviation fuel licensees and special fuel licensees on and after a date specified be remitted directly to the department of revenue.

SECTION 1149n. 79.006 of the statutes is created to read:

**79.006 New incorporations.** In the case of municipalities formed after 1976, the information needed for the determinations under this chapter shall be calculated as follows: for those years for which the necessary data does not exist, the data for the new municipality and the municipality from which it was formed shall be combined and the sum shall be apportioned to each municipality in proportion to its respective full value in the first year of assessment of the new municipality.

SECTION 1150. 79.015 of the statutes is created to read:

**79.015 Statement of estimated payments.** The department of revenue, on or before September 15 of each year, shall provide to each municipality and county a statement of estimated payments to be made in the next calendar year to the municipality or county under ss. 79.02 (2) (am), 79.03 (1), 79.04 and 79.06.

SECTION 1153m. 79.02 (2) (am) and (b) of the statutes are amended to read:

79.02 (2) (am) Beginning on the 4th Monday in July, 1978, and annually thereafter, the department of administration, upon certification by the department of revenue, shall distribute to each municipality from the shared revenue account an amount equal to ~~.8375~~ of the preliminary distribution per capita factor times its population and to each county an amount equal to .1625 of the preliminary distribution per capita factor times its population, as defined in s. ~~79.07~~ 79.005. If on ~~June 30~~ July 1 there is not sufficient money in the shared revenue account to make the distributions, each municipality and county shall share in the amount then in the shared revenue account in the proportion of the payment based on population it would receive to all the payments based on population which would be made if there were sufficient money in the shared revenue account.

(b) For purposes of par. (am), the “preliminary distribution per capita factor” means ~~for the 1976 distribution \$40, and thereafter, the lesser of the product of the 1976 population of the state times \$40 divided by the population of the state in the previous year, or \$40 for the 1982 distribution \$30, and thereafter the product of the 1982 population of the state times \$30 divided by the state’s prior year’s population.~~

SECTION 1153r. 79.03 (1) of the statutes is amended to read:

79.03 (1) Annually on the 3rd Monday in November, the department of administration, upon certification by the department of revenue, shall distribute to municipalities and counties all funds entered in the shared revenue account as of the previous October 31, after reduction by the amounts necessary to make the payments from the shared revenue account under s. 79.04. The distributable share of each municipality and county shall consist of an amount determined on the basis of population under sub. (2), plus an amount determined under sub. (3), and plus an amount determined under sub. (5), less the amount distributed in July of that year under s. 79.02. ~~The distributable shares, thus determined, shall be reduced as provided in ss. 60.175 (6), 61.46 (3) (f), 62.12 (4m) (f), 65.07 (2) (f) and 70.62 (4) (f). The amounts of those reductions shall remain in the municipal and county shared revenue account and shall become a part of the funds to be distributed from that account in the next distributions under this section and s. 79.02.~~

SECTION 1154g. 79.03 (exc. 79.03 (title), (1), (3) (b) (intro.), 1. (intro.) and a and 2 to 4, (c) and (d) and (4)) of the statutes is repealed and recreated to read:

79.03 (2) (a) Every municipality’s portion of the amount distributable under sub. (1) based on population shall equal the final distribution per capita factor times its population.

(b) For purposes of par. (a), “final distribution per capita factor” means the product of the 1982 population of this state times \$30 divided by the state’s current year’s population.

(3) (a) The amount in the shared revenue account as of the previous October 31, less the payments under sub. (2) and s. 79.04, and for 1982 less the amount distributed under sub. (5) shall be allocated to each municipality and county in proportion to its entitlement. In this paragraph, “entitlement” means the product of aidable revenues and tax base weight.

(b) 1. b. For a county, the following percentages of the average local purpose revenue: 70 % in 1982, 75 % in 1983, 80 % in 1984, 85 % in 1985, 90 % in 1986, 95 % in 1987 and 100 % in 1988 and thereafter.

5. “Standardized valuation” means the product of the standardized valuation per person times the population of a municipality or a county in the preceding year.

6. “Standardized valuation per person” is that number, rounded to the nearest hundred, that when used in the computation under par. (a) most nearly approximates the sum of entitlements for all municipalities and all counties to the funds distributable under par. (a).

SECTION 1154i. 79.03 (3) (b) 3 of the statutes is amended to read:

79.03 (3) (b) 3. “Full valuation” means the full value of all taxable property for the preceding year as equalized for state tax purposes including value increments under s. 66.46, except that for municipalities the value of real estate assessed under s. 70.995 is excluded. Value increments under s. 66.46 are included for municipalities but excluded for counties.

SECTION 1154m. 79.03 (3) (b) 4. (intro.), a to c and e of the statutes are amended to read:

Vetoed  
in Part

79.03 (3) (b) 4. (intro.) “Local purpose revenues” means the sum of the following: local general purpose taxes, ~~except occupational taxes and payments in lieu of taxes by enterprises~~; regulation and compliance revenues, ~~except judgments and damages~~ liquor and malt beverage licenses, business and occupational licenses and cable television licenses; revenues for services to private parties by a county’s or municipality’s general operations or enterprises, ~~except services by hospitals, nursing and rest homes, mass transit systems, urban development and housing agencies, liquor stores, cemeteries, and electric, gas and water utilities; interest and rental income~~; and, ~~except judicial service fees and court costs, register of deeds fees, board paid for prisoners at county jails, fees for mental health, developmental disability and alcohol and drug abuse services provided by ss. 51.42 and 51.437 boards, welfare repayments by individuals, other health and social services fees reimbursed by health insurance or governmental programs such as medical assistance, fees from older American projects, revenues from the sale of highway materials and services, snow, ice and weed control revenues, airport revenues, fairs and exhibits, auditoriums, stadiums and celebration revenues, forestry fees, and sewer revenues from private parties outside the municipality, from public utilities and from governmental units~~; revenue for sanitation services to private parties collected by sewerage, sanitation or inland lake rehabilitation districts; special assessment revenues, or in the case of enterprises, those special assessment revenues that are transferred to the municipality and county for general operations; tax base equalization aids; and, for municipalities only, a proxy for private sewer service costs. Taxes and revenues of sewerage, sanitation and inland lake rehabilitation districts that are local purpose revenues shall be allocated to municipalities in proportion to the amount of revenue that is derived from within the municipality. In this subdivision:

a. “Local general purpose taxes” means ~~tax increments collected for payment to a municipality under s. 66.46 and those taxes collected to finance the operation of the general purpose government unit, including but not limited to general property taxes for local purposes, forest cropland taxes, woodland taxes, interest on taxes, mobile home fees, room tax and retained sales tax~~ the portion of tax increments collected for payment to a municipality under s. 66.46 which is attributable to that municipality’s own levy, general property taxes collected to finance the general purpose government unit, property taxes collected for sewage and sanitary districts, mobile home fees and municipal vehicle registration fees under s. 341.35 (1).

b. “Regulation and compliance revenues” means revenue from local licenses, ~~and local permits, local law and ordinance violations, local contract and other noncompliance forfeitures~~ except revenues expressly excluded under this subdivision.

c. “Revenues for services to private parties by a county’s or municipality’s general operation or enterprises” means those revenues collected from private parties for services provided, including but not limited to: ~~judicial services such as court fees, probate fees and family court commissioner fees~~; general government services such as license publication fees, sale of publications, clerk’s fees, ~~register of deeds’ fees~~, zoning fees and treasurer’s fees; public safety services such as copies of accident reports, ambulance fees and fire calls; inspection services such as building, electrical, heat, plumbing, elevator and weights and measures; health and social services such as ~~welfare repayments from individuals, home nursing services, health clinics, mental health services, sanatorium services, public health dispensary services, elderly nutrition program services~~; transportation services such as ~~private road maintenance, sale of highway materials~~, parking ramps and meters, ~~airport fees~~ and dock and harbor fees; sanitation services such as refuse collection fees, sewage fees and landfill fees; leisure activity services such as library fines or fees, ~~stadium, museum, zoo, golf, swimming pool and ice arena users or admission fees~~; conservation and development of natural resources services such as ~~sale of trees, park use fees and weed cutting fees~~; except those services expressly excluded under this subdivision.

e. "Special assessment revenues" means charges assessed against benefited properties for certain public improvements or upkeep properties capital improvements by a municipality or county placed on the current tax roll for collection or collected during the year in advance of being placed on the tax roll, including but not limited to residential street improvements, sidewalks, storm sewers, curb and gutters, sanitary sewers, water mains, street lighting, snow removal, tree planting and removal, weed control and the interest and penalty charges thereon.

\*SECTION 1154p. 79.03 (3) (b) 4. d of the statutes is repealed and recreated to read:

79.03 (3) (b) 4. d. "Revenue for sanitation services to private parties" means revenues collected from private parties as refuse collection fees, sewerage service fees and landfill fees.

\*SECTION 1154r. 79.03 (3) (b) 4. f of the statutes is created to read:

79.03 (3) (b) 4. f. "Tax base equalization aids" means payments received under par. (a) and s. 70.996 (1m) (c), 1977 stats. and 1979 stats., s. 79.03 (3), 1977 stats. and 1979 stats., and s. 79.16 (3), 1977 stats. and 1979 stats.

SECTION 1154s. 79.03 (3) (b) 4. g of the statutes is created to read:

79.03 (3) (b) 4. g. "Proxy for private sewer service costs" means the greater of zero or the amount computed by multiplying \$25 times the municipality's population in the 2nd year preceding the distribution and then subtracting from that product the greater of 1) the sum of municipal general operation and capital project sewer service expenditures including storm sewer expenditures, through general operations, special assessment funds or enterprises, the municipality's share, based on its proportion of the full value of taxable property in the county, of county taxes levied for a sanitary or sewage district if the municipality is served by the sewer services financed by the county levies, tax levies of sewage and sanitation districts; sewer service charges directly paid to a neighboring municipality or fiscally independent sewer utility, and individual septic tank replacement grant payments under s. 144.245, or 2) the sum of sewer service charges, municipal general operation and capital project storm sewer expenditures through general operations, special assessment funds or enterprises, the municipality's share, based on its proportion of the full value of taxable property in the county, of county taxes levied for a sanitary or sewage district if the municipality is served by the sewer services financed by the county levies, tax levies of sewage and sanitation districts and individual septic tank replacement grant payments under s. 144.245.

Vetoed  
in Part

\*SECTION 1154sg. 79.03 (3) (b) 7 and 8 of the statutes are created to read:

79.03 (3) (b) 7. "Tax base weight" means one minus the decimal obtained by dividing the full valuation by the standardized valuation, except that "tax base weight" shall be a decimal of at least 0.0.

8. "Sum of local purpose revenues" for those municipalities and counties whose fiscal year ends in the period July 1 to December 31 means the sum of local purpose revenues for the 3 fiscal years ending 2 years prior to the year of distribution. "Sum of local purpose revenues" for municipalities and counties whose fiscal year ends in the period January 1 to June 30 means the sum of local purpose revenues for the 3 fiscal years ending one year prior to the year of distribution.

\*SECTION 1154sh. 79.03 (3) (c) of the statutes is repealed.

~~SECTION 1154sm. 79.03 (3) (e) of the statutes is created to read:  
79.03 (3) (e) The department of natural resources shall compile information to determine the distribution by municipalities of individual septic tank replacement grant payments under s. 144.245 for the calendar years 1979, 1980 and 1981 and shall provide this information to the department of revenue by September 15, 1982. For calendar years 1982 and thereafter, the department of natural resources shall compile and provide this information to the department of revenue by August 15 of the following year.~~

Vetoed  
in Part

\* SECTION 1154t. 79.03 (4) (c) of the statutes is amended to read:

79.03 (4) (c) Except as provided in par. (f), beginning in 1979, the amount entered into the shared revenue account for total distributions under this subchapter shall increase over the amount entered for the prior year, ~~excluding the amount transferred from the appropriation under s. 20.835 (2) (b) under s. 79.16,~~ by the same rate as the actual rate of annual increase in the amount of general fund tax revenue collected by the state in the fiscal year ending during the calendar year of the distribution under this section, but not more than 12% or less than 5%. ~~The total amount paid to municipalities and counties in 1983 under ss. 70.996 and 79.16 (3) (c) shall be considered as part of the prior year base amount for the purpose of computing the calendar year 1984 distribution under this paragraph.~~

SECTION 1154u. 79.03 (4) (f) of the statutes is repealed and recreated to read:

Vetoed  
in Part

79.03 (4) (f) In 1981, the total amounts to be distributed under this subchapter, ~~except amounts distributed under s. 79.05,~~ shall be \$541,700,000. In 1982, the total amount to be distributed under this subchapter shall be ~~\$695,400,000.~~

SECTION 1154v. 79.03 (5) of the statutes is created to read:

79.03 (5) In 1982, \$11,700,000 shall be distributed to municipalities and counties in proportion to their share of the 1975 manufacturing machinery and equipment payments under s. 70.996, as corrected and adjusted by the department of revenue.

SECTION 1167g. 79.05 (1) of the statutes is amended to read:

79.05 (1) If the combined payments to any municipality under s. 79.03, except that 26% of the payment under s. 79.03 (3) is excluded, in 1981 are less than the combined payments under s. 79.03, 1973 stats., in 1975, that municipality shall receive a payment from the appropriation under s. 20.835 (1) (c) equal to its proportion of the sum of the decreases in payments to municipalities and of the decreases in payments to counties as determined under sub. (3), except that the payment under this subsection shall not exceed 100% of the decrease in 1981.

SECTION 1167j. 79.05 (3) of the statutes is amended to read:

79.05 (3) If the average local purpose revenues, as defined in s. 79.03 (3) (b) 2, of a county in 1979 exceed its average local purpose revenues in 1976, and if the combined payments to the county under ss. 79.02 and 79.03 in 1981, except that 26% of the payment under s. 79.03 (3) is excluded, are less than the combined payments to the county under ss. 79.02 and 79.03 in 1979, the county shall receive a payment from the appropriation under s. 20.835 (1) (c) equal to its proportion of the sum of the decreases in payments to all counties and of the decreases in payments to municipalities as determined under sub. (1), except that the payment under this subsection shall not exceed 100% of that decrease in 1981. No payment may be made to a county under this subsection in any year in which the full valuation of the county, as defined in s. 79.03 (3) (b) 3, equals or exceeds the standardized valuation of the county, as defined ~~in~~ in s. 79.03 (3) (b) 5.

SECTION 1167m. 79.06 of the statutes is repealed and recreated to read:

**79.06 Maximum, minimum and residual payments.** (1) **MAXIMUM PAYMENTS.** In 1982, no municipality or county may receive combined payments under ss. 79.02 (2) (am), 79.03 (1) and 79.10 (2), (6) and (7) in excess of 115% of the payment received by that municipality or county in 1981 under ss. 70.996 (1m), 79.02 (2) (am), 79.03 (1), 79.05, 79.10 (2), 79.16 (3) and 79.17 (1), 1979 stats., net of reductions under chapter 1, laws of 1981, section 38 and chapter .... (this act), laws of 1981, section 2045 (5). In 1983 and 1984, no municipality or county may receive combined payments under ss. 79.02 (2) (am), 79.03 (1) and 79.10 (2), (6) and (7) in excess of 120% of the payments received under ss. 79.02 (2) (am), 79.03 (1), 79.06 and 79.10 (2), (6) and (7) in the previous year. The amounts that are withheld from distribution because of the maximum limitation under this subsection shall be distributed under subs. (2) and (3).

\* This SECTION listed as disapproved in governor's veto message but text not vetoed. See 70 O.A.G. 189 (1981).

(2) **MINIMUM PAYMENTS.** (a) If the combined payments to any municipality or county under ss. 79.02 (2) (am), 79.03 (1) and 79.10 (2), (6) and (7) in 1982 are less than 90% of the combined payments to the municipality or county in 1981 under ss. 70.996 (1m), 79.02 (2) (am), 79.03 (1), 79.05, 79.10 (2), 79.16 (3) and 79.17 (1), 1979 stats., net of reductions under chapter 1, laws of 1981, section 38 and chapter ... (this act), laws of 1981, section 2045 (5), the municipality or county has a deficiency. The amount of the deficiency is the amount by which 90% of the combined payments to the municipality or county in 1981 under ss. 70.996 (1m), 79.02 (2) (am), 79.03 (1), 79.05, 79.10 (2), 79.16 (3) and 79.17 (1), 1979 stats., net of reductions under chapter 1, laws of 1981, section 38 and chapter .... (this act), laws of 1981, section 2045 (5), exceeds the combined payments to the municipality or county under ss. 79.02 (2) (am), 79.03 (1) and 79.10 (2), (6) and (7) in 1982.

(b) If the combined payments to any municipality or county under ss. 79.02 (2) (am), 79.03 (1) and 79.10 (2), (6) and (7) in 1983 or any year thereafter are less than 90% of the combined payments under ss. 79.02 (2) (am), 79.03 (1), 79.06 and 79.10 (2), (6) and (7) for the previous year, the municipality or county has a deficiency. The amount of the deficiency is the amount by which the combined payments to the municipality or county under ss. 79.02 (2) (am), 79.03 (1) and 79.10 (2), (6) and (7) in 1983 or any year thereafter are less than 90% of the combined payments to the municipality or county under ss. 79.02 (2) (am), 79.03 (1), 79.06 and 79.10 (2), (6) and (7) in the previous year.

(c) In 1982, 1983 and 1984, a municipality or county that has a deficiency shall receive a payment from the distribution under sub. (1) equal to its proportion of all deficiencies, except that the payment shall not exceed 100% of the deficiency. Any portion of the amounts available under sub. (1) but not distributed because of the 100% limitation under this subsection shall be distributed under sub. (3). In 1985 and thereafter, a municipality or county that has a deficiency shall receive a payment from the appropriation under s. 20.835 (1) (c) equal to its deficiency.

(3) **RESIDUAL PAYMENTS.** In 1982, 1983 and 1984, any funds available under sub. (1) and not distributed under sub. (2) shall be distributed to all municipalities and counties according to their proportion of all the payments calculated under ss. 79.02 (2) (am), 79.03 (1) and 79.10 (2), (6) and (7) for the current year.

**SECTION 1169.** 79.07 of the statutes is renumbered 79.005.

**SECTION 1170.** 79.08 (title) of the statutes is amended to read:

**79.08 (title) Corrections and penalties for violations of levy limits.**

**SECTION 1171.** 79.08 of the statutes is renumbered 79.08 (1) and amended to read:

79.08 (1) If the department of administration or the department of revenue determines by September 15 of the year following any distribution under this subchapter that there was an overpayment or underpayment made in any certification by the department of revenue or resulting from populations changed as a result of a final court determination or a census determination under s. 16.96 (2) (dm) or in the distribution by the department of administration, the overpayment or underpayment shall be corrected as provided in this section. ~~No~~ Except as provided under sub. (4), no corrections to any distribution may be made after September 15 of the year following the distribution. Any overpayment shall be corrected by reducing the subsequent year's distribution under the appropriate section of this subchapter. Any underpayment shall be corrected by increasing the subsequent year's distribution under the appropriate section of this subchapter. Corrections shall be made in the distributions to all municipalities and counties affected by the error.

Corrections shall be without interest. When the sum of all underpayments and overpayments results in a net underpayment, the net underpayment shall be paid from the appropriation under s. 20.835 (1) ~~(k)~~ (e). When the sum of all underpayments and overpayments results in a net overpayment, the net overpayment shall be returned to the general fund.

SECTION 1171m. 79.08 (2) and (3) of the statutes are created to read:

79.08 (2) Shared revenue payments made in 1980 under ss. 79.02 (2) (am) and 79.03 (2), 1979 stats., shall be corrected under sub. (1) based upon 1980 populations as determined under s. 16.96 (2) (dx). Shared revenue payments made in 1980 under s. 79.03 (3), 1979 stats., shall be corrected under sub. (1) based on the 1979 population as determined under s. 16.96 (2) (dx).

(3) Payments to any municipality or county under this subchapter shall be reduced as provided in ss. 60.175 (6), 61.46 (3) (f), 62.12 (4m) (f), 65.07 (2) (f) and 70.62 (4) (f). The amounts of those reductions shall remain in the municipal and county shared revenue account and shall become part of the funds to be distributed from that account in the next distributions.

SECTION 1172m. 79.08 (4) of the statutes is created to read:

79.08 (4) Notwithstanding the September 15 deadline under sub. (1), shared revenue payments made in 1979 under ss. 79.02 (2) (am) and 79.03 (2), 1979 stats., shall be corrected on the basis of the 1979 population as determined under s. 16.96 (2) (dx).

SECTION 1174. 79.10 (title) and (1) of the statutes are amended to read:

**79.10 (title) Wisconsin state property tax relief.** (1) DISTRIBUTION. On the first Monday in March of each year, commencing in ~~March 1974~~ 1982, the amount appropriated under s. 20.835 (2) (a) shall be distributed by the department of administration to towns, villages and cities in allocable shares as determined under sub. subs. (2), and to taxpayers subject to taxation under ss. 76.13, 76.38 and 76.48, in allocable shares under sub. ~~(1a)~~, all as certified by the department of revenue (6) and (7), except that payments determined under sub. (2) (a) in 1983 and a percentage of payments under sub. ~~(2) (a)~~ in 1984 and thereafter shall be distributed on the 4th Monday in July. The percentage of payments under sub. (2) (a) that is distributed in July in 1984 and thereafter shall equal the quotient of total payments under sub. (2) (a) in 1983 divided by total payments under sub. (2) (a) in the current year.

Vetoed  
in Part

SECTION 1175. 79.10 (1a) (a) of the statutes is repealed.

SECTION 1176. 79.10 (1a) (b) of the statutes is repealed.

SECTION 1177. 79.10 (1a) (c) of the statutes is repealed.

SECTION 1177m. 79.10 (1b) of the statutes is repealed.

SECTION 1178. 79.10 (2) of the statutes is repealed and recreated to read:

79.10 (2) MUNICIPAL CREDITS. (a) The amount appropriated under s. 20.835 (2) (a) less the payments under pars. (b) and (c) and sub. (6) shall be distributed to municipalities according to their share of additional school aid entitlements determined under par. (am). The municipality's share of additional school aid entitlements shall be equal to the proportion that the municipality's full value of taxable property, excluding value increments under s. 66.46, that is located within the school district is of the total school district's full value of taxable property, excluding value increments under s. 66.46.

(am) In this subsection "additional school aid entitlements" means the difference, under subs. 1 and 2, in school aids payments to elementary and secondary school districts under s. 121.08 for the current fiscal year based on the equalized valuations under s. 121.06, estimates of membership under s. 121.004 (8) and shared cost under s. 121.07 (6), between:

1. The guaranteed valuation sufficient to generate without proration total general school aids under s. 121.08 that will fall within the range of .999 and 1.001 of the amount appropriated under s. 20.255 (1) (cc) plus the amount appropriated under s. 20.835 (2) (a) less the payments under pars. (b) and (c) and sub. (6); and

2. The guaranteed valuation sufficient to generate without proration total general school aids under s. 121.08 that will fall within the range of .999 and 1.001 of the amount appropriated under s. 20.255 (1) (cc).

(b) In 1982, \$54,417,900 shall be distributed to municipalities in proportion to their payments in 1981 under s. 79.17 (1), 1979 stats.

(c) In 1982, \$118,729,900 shall be distributed to municipalities in proportion to the allocable shares determined under par. (d). In 1983 \$110,000,000 shall be distributed to municipalities in proportion to the allocable shares determined under par. (d).

(d) 1. For 1982 and 1983, the allocable share of each municipality shall be the same proportion that the municipality's excess levies bear to the total of excess levies for all municipalities. If a municipality's average computed full value rate does not exceed the 3-year average of 50% of the state average full value rate, that municipality's excess levies shall be equal to zero. If a municipality's average computed full value rate does exceed the 3-year average of 50% of the state average full value rate, that municipality's excess levies shall be equal to the product of the average excess tax rate times the municipality's full value of all taxable property for the preceding year as equalized for state tax purposes.

2. In this paragraph, "average excess tax rate" means the amount obtained by computing for each of the 3 preceding years the difference between the computed full value rate of the municipality and 50% of the state average full value rate and then adding those 3 amounts and then dividing by 3.

(e) The state superintendent of public instruction shall calculate the additional school aid entitlements under par. (am) and shall certify the results to the department of revenue by October 30 of the year preceding the distribution. The state superintendent of public instruction shall also provide estimates of additional school aid entitlements to the department of revenue by August 15 of the year preceding the distribution.

SECTION 1179. 79.10 (3) (b) of the statutes is amended to read:

79.10 (3) (b) Every property taxpayer of the municipality having assessed property, ~~other than personal property entitled to tax credit under s. 79.12, 1973 stats. or s. 79.17,~~ shall receive a tax credit in an amount determined by applying the percentage of the amount of the value of property, ~~other than personal property entitled to tax credit under s. 79.12, 1973 stats. or s. 79.17,~~ assessed to the taxpayer ~~in the amount determined under par. (a)~~ to the amount of the distribution to be made to the municipality under sub. (1), as stated in the December 1 notification from the department of revenue, except that payments under sub. (2) (a) shall be allocated only to those portions of the municipality that are located in the school district upon which the payments are based.

\*SECTION 1180. 79.10 (3) (c) of the statutes is amended to read:

79.10 (3) (c) The amount of the Wisconsin state property tax credit relief of particular property taxpayers, as determined under par. (b), shall be set forth and separately identified as the "WISCONSIN STATE PROPERTY TAX RELIEF" on the tax bills of such taxpayers issued immediately following the December 1 notification referred to in this subsection and shall serve to reduce the property taxes otherwise payable.

SECTION 1181. 79.10 (4) (d) of the statutes is created to read:

79.10 (4) (d) The "average school tax levy" means the average of all school property taxes levied in a municipality, including all elementary, secondary and vocational, technical and adult education tax levies and tax levies for handicapped children's education programs under s. 115.86, net of municipal surplus funds applied against those levies, for the 3 years preceding the assessment year to which the tax credit applies.

\* This SECTION listed as disapproved in governor's veto message but text not vetoed. Sec 70 O.A.G. 189 (1981).



SECTION 1182. 79.10 (5) of the statutes is created to read:

Vetoed  
in Part

79.10 (5) INCREASES. (a) ~~In 1984 and~~ thereafter, the amount distributed under this subchapter from the appropriation under s. 20.835 (2) (a) shall increase over the amount distributed in the previous year under s. 20.835 (2) (a) by an amount equal to the product of the distribution under s. 20.835 (2) (a) in the previous year multiplied by the percent increase in state general fund tax revenue in the fiscal year preceding the distribution under this section but not less than 5% or not more than 12%.

Vetoed  
in Part

(b) The total amount to be distributed under subs. (2), (6) and (7) shall be ~~\$232,512,800 in 1982 and \$260,000,000 in 1983.~~

SECTION 1182m. 79.10 (6) of the statutes is created to read:

79.10 (6) PROPORTIONAL DISTRIBUTIONS. In 1982, \$59,365,000 shall be distributed to municipalities in proportion to their share of the sum of average school tax levies, as defined under sub. (4) (d) for all municipalities. In 1983, \$105,000,000 shall be distributed to municipalities in proportion to their share of statewide average school tax levies, as defined under sub. (4) (d). In 1984 and thereafter, \$195,000,000 shall be distributed to municipalities in proportion to their share of statewide average school tax levies, as defined under sub. (4) (d).

SECTION 1182n. 79.10 (7) of the statutes is created to read:

79.10 (7) ADJUSTMENTS. If payments under subs. (2) and (6) exceed the municipality's average school tax levies, as defined in sub. (4) (d), then that municipality's payments for the current year under subs. (2) and (6) shall be reduced by the amount that payments under subs. (2) and (6) exceed average school tax levies, as defined under sub. (4) (d). These reductions shall be distributed among only those municipalities whose average school tax levies exceed their payments under subs. (2) and (6), and shall be distributed proportionately according to each municipality's share of payments under sub. (6).

SECTION 1184. 79.16 of the statutes is repealed.

SECTION 1185. 79.17 of the statutes is repealed.

SECTION 1186. 79.175 (1) of the statutes is repealed.

SECTION 1187. 79.175 (2) of the statutes is amended to read:

79.175 (2) When a taxpayer has received an excess credit under ~~either s. 79.10 or~~ under s. 79.17, 1979 stats., or both, the taxation district shall collect the excess from the taxpayer who received it. The excess shall be a direct claim by the taxation district and if not paid on demand may be collected in an action for debt by the taxation district or it may deduct such excess from the credits to which such taxpayer would otherwise be entitled in the next tax roll. The clerk shall add such excess to the tax credit certified by the department on the next December 1 and distribute the total according to s. 79.10 (3) (b) if the excess occurred under s. 79.10, or according to s. 79.17 (3) (b), 1979 stats., if excess occurred under s. 79.17, 1979 stats.

SECTION 1188. 79.18 of the statutes is amended to read:

**79.18 Underpayment of credits.** If the credit under s. 79.10 or under s. 79.17, 1979 stats., was understated the treasurer shall pay such taxpayer the amount of the understatement if the tax has been paid in full. If the tax has not been paid in full the clerk shall issue an order check to the treasurer then in possession of the tax roll who shall apply such amount as payment on the taxes due. The next December 1 certification under s. 79.10 (3) or under s. 79.17 (3), 1979 stats., shall be reduced by the clerk for such payments or credits and the balance then remaining shall be distributed in accordance with s. 79.10 (3) (b) if the underpayment occurred under s. 79.10 or under s. 79.17 (3) (b), 1979 stats., if the underpayment occurred under s. 79.17, 1979 stats.

SECTION 1189. 79.19 of the statutes is repealed.

SECTION 1190. 79.20 (1) (intro.) of the statutes is amended to read:

79.20 (1) (intro.) Annually, beginning in 1980 ~~1982~~ and continuing until 1984, on or before April 20, upon certification of the correct amount ~~from~~ by the department of revenue, the department of administration shall remit to the treasurer of each municipality from the appropriation under s. 20.835 (2) (bs), an amount equal to the following percentage of the amount ~~by which the product of the excess tax base loss multiplied by the local tax levy in the year 2 years preceding exceeds the increased aids received by the municipality in the preceding year, but only if such amount equals or exceeds \$100 received in 1981 under s. 79.20, 1979 stats.:~~

SECTION 1191. 79.20 (1) (a) to (c) of the statutes are repealed and recreated to read:

- 79.20 (1) (a) In 1982, 75%.
- (b) In 1983, 50%.
- (c) In 1984, 25%.

SECTION 1192. 79.20 (1) (d) and (e) of the statutes are repealed.

SECTION 1193. 79.20 (2) of the statutes is repealed.

~~SECTION 1193m. 80.39 (2) of the statutes is amended to read:~~

~~80.39 (2) NOTICE. Upon such petition the county board or the commissioners appointed by the board shall give notice of the time and place they will meet to decide thereon, which on the petition. The notice shall be published as a class 2 notice, under ch. 985. Such The notice shall also be given to the department of natural resources and to the board of soil and water conservation districts department of agriculture, trade and consumer protection by serving a copy upon the secretary of natural resources and by serving a copy upon the secretary of the board of soil and water conservation districts agriculture, trade and consumer protection either by registered mail or personally. If the board appoints a committee to act, the notice shall state the fact and the notices shall be signed by the commissioners, otherwise by the chairman of the board.~~

Vetoed  
in Part

~~SECTION 1194m. 84.01 (2) and (15) of the statutes are amended to read:~~

~~84.01 (2) POWERS AND DUTIES; GENERAL PROVISION. The Subject to the authority of the transportation projects commission and legislature under s. 13.489 (8) and (9), the department shall have charge of all matters pertaining to the expenditure of state and federal aid for the improvement of highways, and shall do all things necessary and expedient in the exercise of such supervision.~~

~~(15) FEDERAL AID SYSTEMS OF HIGHWAYS. The department shall plan, select, lay out, add to, decrease, revise, construct, reconstruct, improve and maintain, or arrange for maintenance by subdivisions of the state or by any other means, the national system of interstate highways, federal aid highway system, system of secondary and feeder roads, federal aid grade crossings projects, federal forest highway systems and projects and other highway and related projects, all within the meaning of Title 23, USC and all acts amendatory thereof and supplementary thereto, and the federal regulations issued under such code, and receive all funds provided by any source to match or supplement such federal aid funds, and expend such funds in accordance with s. 13.489 and the requirements of acts of congress or of this state making such funds available and cooperate with federal authorities and subdivisions of the state in carrying out this subsection. This subsection shall not limit the other powers of the department relative to federal aid for highways.~~

**VETOED**

~~SECTION 1195e. 84.01 (17) of the statutes is amended to read:~~

~~84.01 (17) IMPROVEMENTS FOR NEXT 6 YEARS. In each odd-numbered year, the department shall determine, as far as possible, what improvements will be made or recommended for approval during the following 6-year period, and shall notify the county clerks~~

prior to November 1 of each odd-numbered year, as to the improvements in their respective counties. Such notice shall also be given to the department of natural resources and to the board of soil and water conservation districts.

SECTION 1195f. 84.01 (18) (d) of the statutes is created to read:

84.01 (18) (d) Actions of the department under this subsection are subject to approval under s. 13.489.

SECTION 1195g. 84.01 (17) of the statutes is amended to read:

84.01 (27) URBAN MASS TRANSIT SYSTEMS. To encourage the development, improvement and use of public mass transportation systems operating motor vehicles on highways for the transportation of passengers within urbanized areas so as to increase traffic capacity, the department may, from funds available under s. 84.03 (3) and with county approval and approval of the transportation projects commission and legislature under s. 13.489 (8) and (9) where required, acquire, construct, reconstruct and maintain lands and facilities for the development, improvement and use of public mass transportation systems for the transportation of passengers within urbanized areas in this state. The department may encourage generally and provide, without limitation by enumeration, for the construction of exclusive or preferential bus lanes, highway control devices, bus passenger loading areas and terminal facilities, including shelters, and fringe and corridor parking facilities to serve bus and other public mass transportation passengers. All moneys granted or allotted to this state as federal aid for the purposes specified in this subsection shall be expended by the department in accordance with the act of congress relating to such federal aid funds.

SECTION 1195m. 84.02 (3) (a) of the statutes is amended to read:

84.02 (3) (a) Changes may be made in the state trunk system by the department, if it deems that the public good is best served by making such the changes. The department, in making such the changes, may lay out new highways by the procedure under this subsection. Due notice shall be given to the localities concerned of the intention to make changes or discontinuances, and if the change proposes to lay a highway via a new location and the distance along such deviation from the existing location exceeds 2 1/2 miles, then a hearing in or near the region affected by the proposed change shall be held prior to making the change effective. Such notice shall also be given to the secretary of natural resources and to the secretary of the board of soil and water conservation districts, agriculture, trade and consumer protection either by registered mail or personally. Whenever the department decides to thus change more than 2 1/2 miles of the system such the change shall not be effective until the decision of the department has been referred to and approved by the county board of each county in which any part of the proposed change is situated. A copy of the decision shall be filed in the office of the clerk of each county in which a change is made or proposed. Where the distance along the deviation from the existing location exceeds 5 miles the change shall constitute an addition to the state trunk highway system. The preexisting route shall continue to be a state trunk highway unless the county board of each county in which any part of the relocation lies and the department mutually agree to its discontinuance as a state trunk highway. Whenever such county board or boards and the department cannot so agree the department shall report the problem to the next pausing session of the legislature for determination.

SECTION 1195s. 84.03 (3) (a) and (9) (a) of the statutes are amended to read:

84.03 (3) (a) The appropriations made by s. 20.395 (3) (a) shall be allotted by the department for the construction, reconstruction and improvement of the state trunk highway system, mass transit systems under s. 84.01 (27) and connecting highways in the several counties and expended by the department in accordance with s. 84.06 upon projects which have been approved under s. 13.489 (8) and (9) and approved by the counties. All or any part of any such allotment to the credit of any county may, with the consent of the county involved, be allocated by the department to match or supplement

Vetoed  
in Part

Federal aid for projects on the state trunk highway system or connecting highways within the county to which the allotment is credited. \$8,000,000 of such appropriation shall be allotted, 40% in the ratio that the number of motor vehicles registered from each county in the fiscal year ended the previous June 30 bears to the total number registered in the state and 60% in the ratio that the mileage of highways in each county, exclusive of highways and streets in cities and villages, bears to the total mileage of such highways in the state except that in counties having a population of 500,000 or more, 25% of the total mileage of all highways and streets in cities and villages shall be included in the eligible mileage of such counties and in the total mileage in the state.

~~(9) (a) That part of the appropriation made by s. 20.395 (3), not required for the other purposes therein provided, may be used by the department, with the approval of the transportation projects commission and legislature under s. 13.489 (8) and (9) where required, for the improvement and traffic service of the state trunk highway system and connecting highways, for the purchase and operation of equipment, making surveys for locating local road materials, testing of materials, and for other purposes provided in this section, and to match or supplement federal aid for the construction, reconstruction or improvement of the federal aid highway system, secondary or feeder roads, the elimination of hazards at railroad grade crossings and for any other highway purpose for which the state may match or supplement federal aid funds pursuant to any act of congress. Where such funds are used for the improvement of the state trunk highway system or connecting highways or to match or supplement federal aid they shall be expended in accordance with s. 84.06 and any applicable act of congress. Any funds expended pursuant to this paragraph shall be expended by the department on such projects within the provisions of this paragraph, and executed in such manner as the department shall from time to time determine will best meet the needs of travel and best promote the general welfare. Such funds may be used for improvements, within the provisions of this paragraph, independent of or in conjunction with other funds available for such improvements. The requirements of any federal highway act, or regulations issued thereunder, may be met from such appropriation.~~

~~SECTION 1195sm. 84.05 of the statutes is amended to read:~~

~~**84.05 Railroad crossing improvements.** On Subject to approval under s. 13.489 (8) and (9) where required, on a highway which the department has authority to construct and which crosses a railroad or street railway, if the department determines that the construction or reconstruction of a grade separation or the rearrangement or elimination of a grade crossing or other rearrangement of the highway or tracks is necessary in the interest of public safety or for convenience of public travel, the department shall make a plan of the construction proposed and an estimate of the cost thereof, including the cost of needed right of way, and shall endeavor to make an arrangement with all persons concerned as to all matters involved in the plan, including the portion of the cost of the contemplated work which the persons shall defray. If the department is unable to contract with the persons concerned as to the distribution and payment of the cost of the work or the maintenance thereof, the department shall lay the matter before the transportation commission, and the transportation commission shall review the proceedings and hold a hearing thereon in accordance with ss. 195.28 and 195.29, and shall fix the portion of the cost of the construction and of the maintenance which is to be paid by the persons or corporations concerned, and the portion of the cost, if any, to be paid by the public, which portion shall be paid from the highway construction fund. The transportation commission shall determine the benefits, if any, which will inure to other highways, and apportion and charge to the units of government responsible for the construction of such other highways a fair portion of the cost.~~

~~SECTION 1196b. 84.06 (1) of the statutes is amended to read:~~

~~84.06 (1) DEFINITIONS, PLANS. "Improvement" or "highway improvement" as used in this section includes construction, reconstruction and the activities, operations and processes incidental to building, fabricating or bettering a highway, public mass transportation system or street, but not maintenance. The Subject to approval under s. 13.489 (8) and (9) where required, the department may prepare plans, estimates and specifications and undertake and perform all surveys, investigations and engineering work for any highway improvement within its jurisdiction. When provision has been made for the necessary funds for any such highway improvement and, if federal aid is to be utilized, when the project has been approved by the proper federal authorities, the department may proceed as provided in this section, with due regard to any applicable federal requirement or regulation.~~

~~SECTION 1196e. 84.06 (2) to (4) of the statutes are amended to read:~~

~~84.06 (2) BIDS, CONTRACTS. All such highway improvements shall be executed by contract based on bids unless the department finds that another method as provided in sub. (3), (4) or (5) would be more feasible and advantageous. No contract for a project for which approval is required under s. 13.489 (8) and (9) may be entered into until such project approval is obtained. Bids shall be advertised in the manner determined by the department. The contract shall be awarded to the lowest competent and responsible bidder as determined by the department. If the bid of the lowest competent bidder is determined by the department to be in excess of the estimated reasonable value of the work or not in the public interest, all bids may be rejected. The department shall, so far as reasonable, follow uniform methods of advertising for bids and may prescribe and require uniform forms of bids and contracts. The secretary shall enter into the contract on behalf of the state. Every such contract is exempted from ss. 16.70 to 16.75, 16.755 to 16.82, 16.87 and 16.89, but s. 16.754 applies to the contract. Any such contract involving an expenditure of \$1,000 or more shall not be valid until approved by the governor. The secretary may require the attorney general to examine any contract and any bond submitted in connection with the contract and report on its sufficiency of form and execution. The bond required by s. 779.14 for any such contract involving an expenditure of less than \$1,000 is exempt from approval by the governor and shall be subject to approval by the secretary. This subsection also applies to contracts with private contractors based on bids for maintenance under s. 84.07.~~

~~(3) CONTRACTS WITH COUNTY OR MUNICIPALITY; DIRECT LABOR; MATERIALS. If the department finds that it would be more feasible and advantageous to have the improvement performed by the county in which the proposed improvement is located and without bids, the department may, subject to s. 13.489 (8) and (9) and by arrangement with the county highway committee of the county, enter into a contract satisfactory to the department to have the work done by the county forces and equipment. In such contract the department may authorize the county to purchase, deliver and store materials and may fix the rental rates of small tools and equipment. The contract shall be between the county and the state and shall not be based on bids, and may be entered into on behalf of the county by the county highway committee and on behalf of the state by the secretary. Such contract is exempted from s. 779.14 and from all provisions of chs. 16 and 230, except s. 16.754. If the total estimated indebtedness to be incurred exceeds \$5,000 the contract shall not be valid until approved by the governor. The provisions of this subsection relating to agreements between a county and the state shall also authorize and apply to such arrangements between a city, town or a village and the state. In such cases, the governing body of the city, town or village shall enter into the agreement on behalf of the municipality.~~

~~(4) SPECIAL CONTRACTS WITH RAILROADS AND UTILITIES. If an improvement undertaken by the department will cross or affect the property or facilities of a railroad or public utility company, the department may, upon finding that it is feasible and advantageous to the state, arrange to perform portions of the improvement work affecting such~~

facilities or property or perform work of altering, rearranging or relocating such facilities by contract with the railroad or public utility. Such contract shall be between the railroad company or public utility and the state and need not be based on bids. ~~The Subject to approval where required under s. 13.489 (8) and (9), the contract may be entered into on behalf of the state by the secretary. Every such contract is exempted from s. 779.14 and from all provisions of chs. 76 and 230, except s. 16.75. No such contract in which the total estimated debt to be incurred exceeds \$9,000 shall be valid until approved by the governor. As used in this subsection "public utility" means the same as in s. 196.01 and "railroad" means the same as in s. 195.02. "Property" as used in this subsection includes but is not limited to tracks, trestles, signals, grade crossings, rights-of-way, stations, pole lines, plants, substations and other facilities. Nothing in this subsection shall be construed to relieve any railroad or public utility from any financial obligation, expense, duty or responsibility otherwise provided by law relative to such property.~~

SECTION 1196em. 84.06 (6) of the statutes is amended to read:

84.06 (6) EXCESS COST. Any Subject to approval under s. 13.489 (8) and (9) where required, any excess in construction cost over the funds made available for any piece of work, shall be paid from unobligated funds as the department may determine, and any balance shall be credited to the appropriation from which the work was financed.

SECTION 1196h. 84.09 (8) of the statutes is created to read:

84.09 (8) The department may not authorize the expenditure of moneys under this section for any project requiring approval under s. 13.489 (8) and (9) until such approval is obtained.

SECTION 1196j. 84.095 of the statutes is created to read:

84.095 Priority highway projects. (1) The department and the transportation projects commission shall designate the following major projects as top priority construction projects: Vetoed in Part

- (a) The south Madison beltline, highway 12.
- (b) Highway 18 between Ridgeway and Mt. Horeb.
- (c) Highway 16 between STH 190 and I 94.
- (d) Highway 53 between Rice Lake and Trego.
- (e) Highway 51 between the south Marquette county line and the Portage county line.
- (f) Highway 50 between STH 81 N and I 94.
- (g) Highway 172 between Webster and I 43.
- (h) Highway 23 between STH 32 and CTH "P".
- (i) Highway 45 between Richfield and West Bend.
- (j) Highway 16 and 67 between Oconomowoc and Pewaukee.
- (k) Mequon road; highway 167.
- (l) Highway 16 between La Crosse and I 90.
- (m) Highway 151 between Fond du Lac and Peables.
- (n) The Tri-county expressway as described under chapter .... (this act), laws of 1981, section 1837g.

(2) The department, to the extent feasible, shall proceed with the projects in the same order as is set forth in sub. (1) (a) to (n).

SECTION 1196m. 84.11 (3) of the statutes is amended to read:

84.11 (3) HEARING. Within 60 days of the receipt of a petition under sub. (2) (a) or on its own motion, the department shall fix a time and place for a hearing and give notice of such the hearing by publication of a class 2 notice, under ch. 985, in the vicinity of the proposed bridge project. Notice shall also be given by registered letter addressed to the Vetoed in Part

clerks of the counties, cities, villages and towns in which any part of the bridge project will be located. ~~Such~~ The notice shall also be given to the secretary of natural resources and to the secretary of the board of soil and water conservation districts, ~~agriculture, trade and consumer protection~~ either by registered mail or personally. ~~Such~~ The hearing may be held in any county, city, village or town in which any part of the bridge project will be located.

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SECTION 1196n. 84.11 (7) of the statutes is amended to read:

84.11 (7) EXECUTION AND CONTROL OF WORK. Subject to s. 13.489 (8) and (9) and to the control and supervision over the navigable waters of the state conferred by law upon the department of natural resources, and the control exercised by the United States, the construction under this section of any bridge project shall be wholly under the supervision and control of the department. The secretary shall make and execute all contracts and have complete supervision over all matters pertaining to such construction and shall have the power to suspend or discontinue proceedings or construction relative to any bridge project at any time in the event any county, city, village or town fails to pay the amount required of it as to any project eligible to construction under sub. (1) (a) or offered by it as to any project eligible to construction under sub. (1) (b), or in the event the secretary determines that sufficient funds to pay the state's part of the cost of such bridge project are not available. All moneys provided by counties, cities, villages and towns shall be deposited in the state treasury, when required by the secretary, and paid out on order of the secretary. Any of such moneys deposited for a project eligible to construction under sub. (1) (a) which remain in the state treasury after the completion of such project shall be repaid to the respective counties, cities, villages and towns in such amounts as to result in the distribution provided in sub. (5) (a) and (am).

SECTION 1196o. 84.12 (7) of the statutes is amended to read:

84.12 (7) EXECUTION AND CONTROL OF WORK. Subject to s. 13.489 (8) and (9) and to the control and supervision over the navigable waters of the state conferred upon the department of natural resources, and the control exercised by the United States, the construction under this section of any bridge project shall be under the joint supervision and control of the department and of the transportation department of the other state concerned. If the transportation department of the other state is not authorized to act jointly with this state in such bridge project arrangements may be made with such subdivisions of the other state as may have proper authority, represented by their proper officers. Control shall be exercised in the manner deemed most expedient by the secretary and such department or by the secretary and the officers of the subdivisions of the other state concerned in the construction. Contracts for the construction of said bridge projects may be made and executed by the secretary and the transportation department of the other state jointly, or jointly by the secretary and such subdivisions of the other state as may participate in the construction, or by appropriate agreement between the parties with respect to financing and control of the work, the authority of either state may contract for all or part of the construction. The secretary may suspend or discontinue proceedings or construction relative to any bridge project at any time in the event any county, city, village or town fails to pay the amount required of it as to any project eligible to construction under sub. (1) (a) or offered by it as to any project eligible to construction under sub. (1) (b), or in the event the secretary determines that sufficient funds to pay the state's part of the cost of the bridge project are not available. All moneys available from this state, or its subdivisions, shall be deposited in the state treasury when required by the secretary and shall be paid out only upon the order of the secretary. Moneys deposited by such subdivisions which remain in the state treasury after the completion of such project shall be repaid to the respective subdivisions in the proportion paid in.

SECTION 1196p. 84.12 (9) (b) (intro.) of the statutes is amended to read:

~~84.12 (9) (b) (intro.) The department shall within 60 days after the conclusion of such hearing submit a full report of findings and conclusions to the secretary of transportation and the governor. Such findings and conclusions may be based on evidence secured by the department in any form and is not limited to facts determined from evidence at the public hearing mentioned above. If it is determined that it is in the best interest of the economy and welfare of the state that such bridge be constructed at a location agreeable to the department and the highway department of the adjoining state, and such determination is approved under s. 13.489 (8) and (9) where required and by the secretary of transportation and the governor, the following is authorized:~~

~~SECTION 1196q. 84.13 (intro.) of the statutes is amended to read:~~

~~84.13 Purchase of toll bridges. (intro.) Any toll bridge eligible to be reconstructed as a free bridge under s. 84.11 or 84.12, may be purchased under such section and made a free bridge, and the procedure in such case, including approval under s. 13.489 (8) and (9) where required, so far as applicable, shall be the same as for the construction or reconstruction of bridges. If the department is unable to agree with the owners of such toll bridge as to purchase price, the said toll bridge may be condemned, by exercising the right of eminent domain in the following manner:~~

~~SECTION 1196r. 84.135 (7) of the statutes is created to read:~~

~~84.135 (7) The department may not authorize the expenditure of moneys under this section for any project requiring approval under s. 13.489 (8) and (9) until such approval is obtained.~~

~~SECTION 1196s. 84.14 (1) of the statutes is amended to read:~~

~~84.14 (1) ORDER OF CONSTRUCTION. The department shall hold hearings on proposed bridge projects under ss. 84.11 and 84.12 in the order in which they are initiated. The Subject to approval under s. 13.489 (8) and (9) if required, the secretary shall allot and for the construction, reconstruction or purchase of bridges and the department may undertake such projects in the order the secretary deems advisable.~~

~~SECTION 1196t. 84.15 (1) of the statutes is amended to read:~~

~~84.15 (1) MAINTENANCE AND OPERATION OF INTRASTATE BRIDGES. All Subject to approval under s. 13.489 (8) and (9) where required, all matters relating to the maintenance and operation of bridges constructed, reconstructed or purchased under s. 84.11 shall be under the jurisdiction and complete control of the department and the cost of such maintenance and operation thereof shall be the direct obligation of the state. Such portion of the approaches as may be determined by the department shall be considered a part of such bridge for maintenance and operation purposes. The portion of the approaches or highway not considered a part of such bridge for maintenance and operation purposes as determined by the department shall be maintained by the town, city or village in which it lies but this provision shall not diminish or otherwise affect the duty of the county with respect to the county trunk highways or the state with respect to the state trunk highways. Authority is given the department to carry fire or tornado insurance, or both, on bridges where such hazard exists and the premium on such insurance shall be included as a portion of such maintenance and operation costs.~~

~~SECTION 1197. 84.18 of the statutes is created to read:~~

~~84.18 Local bridge program. (1) PURPOSE. The local bridge program is created to accelerate the reconstruction or rehabilitation of seriously deteriorating local bridges.~~

~~(2) DEFINITIONS. In this section:~~

~~(a) "Coordinating agency" means the county which coordinates the submission of applications from eligible applicants within the county to the department.~~

~~(b) "Eligible applicant" means county, city, village, town or combination thereof.~~



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(c) "Entitlement" means the amount of aids a coordinating agency will be eligible to receive under this section as determined under sub. (5).

(d) "Local bridge" means a bridge which is not on the state trunk highway system or on marked routes of the state trunk highway system designated as connecting highways.

(e) "Local bridge project" means a project for the design and construction or rehabilitation of a seriously deteriorating local bridge and minimum approaches.

(f) "Seriously deteriorating local bridge" means a local bridge exhibiting deficiencies that meet the criteria established by the department.

(3) ADMINISTRATION. The department shall administer a local bridge program which provides an entitlement of funds to the coordinating agency for the reconstruction or rehabilitation of seriously deteriorating local bridges. The department shall provide the same percentage of the cost of a local bridge project as the percent established under 23 USC 144 (f).

(4) APPLICATIONS. Any eligible applicant may apply to the coordinating agency for funds under this section. A separate application is required for each local bridge project. The application shall describe the specific local bridge project for which funds are to be used. The department shall prescribe the form, nature and extent of information to be contained in the application.

(5) DETERMINATION OF ENTITLEMENT. The department shall determine the entitlement to the coordinating agency based upon the ratio between the estimated cost of reconstructing or rehabilitating seriously deteriorating local bridges in that county and the estimated cost of reconstructing or rehabilitating the seriously deteriorating local bridges in the state which are eligible under this section. The estimated cost of reconstructing or rehabilitating the seriously deteriorating local bridges in the state and individual counties shall be based upon those bridges identified in the inventory of bridges made under s. 84.17.

(6) EXECUTION AND CONTROL OF WORK. Subject to s. 30.12 (4) and the control exercised by the United States, the construction under this section of any local bridge project shall be wholly under the supervision and control of the department. The secretary shall make and execute all contracts and have complete supervision over all matters pertaining to such construction and shall have the power to suspend or discontinue proceedings or construction relative to any bridge project at any time in the event any county, city, village or town fails to pay the amount required of it for any project eligible for construction under this section, or if the secretary determines that sufficient funds to pay the state's part of the cost of such bridge project are not available. All moneys provided by counties, cities, villages and towns shall be deposited in the state treasury, when required by the secretary, and paid out on order of the secretary. Any of the moneys deposited for a project eligible for construction under this section which remain in the state treasury after the completion of the project shall be repaid to the respective county, city, village or town in proportion to the amount each deposited.

(7) The department shall adopt rules to implement this section.

(8) Nothing in this section prevents construction or rehabilitation projects under other bridge programs if applicable.

~~SECTION 1197m. 84.25 (3) of the statutes is amended to read:~~

~~84.25 (3) CONSTRUCTION; OTHER POWERS OF DEPARTMENT. In order to provide for the public safety, convenience and the general welfare, the department may use an existing highway or provide new and additional facilities for a controlled-access highway and so design the same and its appurtenances, and so regulate, restrict or prohibit access to or departure from it as the department deems necessary or desirable. The Subject to approval under s. 13.489 (8) and (9) where required, the department may eliminate intersections at grade of controlled-access highways with existing highways or streets, by~~

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~~grade separation or service road, or by closing off such roads and streets at the right-of-way boundary line of such controlled-access highway and may divide and separate any controlled-access highway into separate roadways or lanes by raised curbs, dividing sections or other physical separations or by signs, markers, stripes or other suitable devices, and may execute any construction necessary in the development of a controlled-access highway including service roads or separation of grade structures.~~

Vetoed  
in Part

SECTION 1198. 84.27 of the statutes is amended to read:

**84.27 Institution roads.** ~~The appropriation made by s. 20.395 (3) (gq) may be expended for improving~~ department may administer a program to improve highways forming convenient connections between the university of Wisconsin, state universities system and state charitable or penal institutions, and the state trunk highway system, or to construct roadways under or over state trunk highways that pass through the grounds thereof, or to construct and maintain all drives and roadways on such grounds or the grounds of the state capitol. Within the limitations and for the purposes of this section, funds may be allotted by and work may be performed by or under the supervision or authority of the department, upon the request for such work filed by the board of regents of the university of Wisconsin system or the state boards, commissions, departments or officers, respectively, as to such work in connection with the institution controlled by them. The cost of any work under this section shall be the responsibility of the board of regents of the university of Wisconsin system or the state boards, commissions, departments or officers involved.

SECTION 1199. 84.28 of the statutes is amended to read:

**84.28 State park roads.** ~~The appropriation made by s. 20.395 (3) (gq) may be expended~~ department may administer a program for the construction, maintenance and marking of roads, including fire roads, service areas, trailer or vehicle parking stalls or parking areas and other facilities consistent with highway construction and for the marking of scenic routes in the state parks, state forests, state fish hatcheries, other public used areas under the jurisdiction of the department of natural resources and other public lands as defined in ch. 24, for highways or fire roads leading from the most convenient state trunk highways to such lands, and for the relocation and construction of state trunk highways in or near state parks when required in the interests of public safety. Within the limitations and for the purposes of this section, funds may be allotted by and work may be performed by or under the supervision or authority or with the approval of the department, upon the request for such work filed by the department of natural resources as to state park or forest lands, or the board of commissioners of the public lands as to other classes of public lands. Outside the limits of the said park, state forest and public land areas, direct connections to the most convenient state trunk highway may be built or maintained under this section. Roads in unincorporated areas within 5 miles of the boundaries of the Horicon national wildlife refuge or the Horicon marsh wildlife area may be built or maintained under this section upon request of the town board, if the department of transportation certifies that such roads are or will be used by a substantial number of visitors to such area. The expenditure of funds under this section shall not affect the eligibility of any highway for aids or the expenditure of other funds thereon. Costs incurred under this section shall be the responsibility of the department of natural resources, commissioners of public lands or town board, as appropriate.

~~SECTION 1199b. 84.29 (9) of the statutes is created to read:~~

~~84.29 (9) APPROVAL REQUIRED. The department may not authorize the expenditure of moneys under this section for any project requiring approval under s. 13.489 (8) and (9) until such approval is obtained.~~

Vetoed  
in Part

~~SECTION 1199d. 84.295 (11) of the statutes is created to read:~~

Vetoed  
in Part

~~84.295 (11) APPROVAL REQUIRED. The department may not authorize the expenditure of moneys under this section for any project requiring approval under s. 13.489 (8) and (9) until such approval is obtained.~~

SECTION 1199f. 84.51 (1) of the statutes is amended to read:

84.51 (1) The secretary with approval of the governor and subject to the limits of s. 20.866 (2) (ur) and, (us) and (uu) may direct that state debt be contracted for the purposes set forth in subs. (2) and (3) to (4) subject to the limits set forth in subs. (2) and (3) to (4). Said debts shall be contracted in accordance with ch. 18.

SECTION 1199fm. 84.51 (3m) of the statutes is created to read:

84.51 (3m) It is the intent of the legislature that state debt of \$28,000,000 during the 1981-83 biennium and \$39,000,000 during the 1983-85 biennium shall be incurred for the acquisition, construction, reconstruction, improvement or development of highway projects under ss. 84.06 and 84.09.

~~SECTION 1199h. 84.51 (4) of the statutes is created to read:~~

~~84.51 (4) The department may not authorize the expenditure of moneys under this section for any project requiring approval under s. 13.489 (8) and (9) until such approval is obtained.~~

~~SECTION 1199j. 84.52 (1) of the statutes is amended to read:~~

~~84.52 (1) The secretary, with the approval of the governor and subject to the limits of s. 20.866 (2) (ug), may direct that state debt be contracted for the construction of bridges as set forth in sub. subs. (2) and (3) and subject to the limits set therein. Said debts shall be contracted in accordance with ch. 18.~~

~~SECTION 1199L. 84.52 (31) of the statutes is created to read:~~

~~84.52 (3) The department may not authorize the expenditure of moneys under this section for any project requiring approval under s. 13.489 (8) and (9) until such approval is obtained.~~

~~SECTION 1199n. 84.53 (1) of the statutes is amended to read:~~

~~84.53 (1) The secretary with the approval of the governor, subject to the limits of s. 20.866 (2) (ut), may direct that state debt be contracted for the matching of federal aid as set forth in sub. subs. (2) and (3) and subject to the limits set therein. Said debt shall be contracted in accordance with ch. 18.~~

~~SECTION 1199p. 84.53 (3) of the statutes is created to read:~~

~~84.53 (3) The department may not authorize the expenditure of moneys under this section for any project requiring approval under s. 13.489 (8) and (9) until such approval is obtained.~~

SECTION 1200. 85.015 of the statutes is created to read:

**85.015 Transportation assistance contracts.** All contracts entered into under this chapter to provide financial assistance in the areas of railroads, urban mass transit, specialized transportation, and harbors are exempt from ss. 16.70 to 16.75, 16.755 to 16.82 and 16.85 to 16.89.

SECTION 1201. 85.02 of the statutes is amended to read:

**85.02 Planning, promotion and protection.** The department may direct, undertake and expend state and federal aid for planning, promotion and protection activities in the areas of highways, motor vehicles, traffic law enforcement, aeronautics, railroads, waterways, specialized transportation services, mass transit systems and for any other transportation mode. All state, regional and municipal agencies and commissions created under authority of law shall to the extent practicable, when dealing with transportation, follow the recommendations made by the secretary.

Vetoed  
in Part

~~SECTION 1201g. 85.025 of the statutes is renumbered 85.025 (1).~~

~~SECTION 1201. 85.025 (2) of the statutes is created to read:  
85.025 (2) The department shall adopt by rule the criteria by which the priorities are established for the construction of highway and bridge projects which are constructed under the appropriations listed under sub. (1)~~

Vetoed  
in Part

SECTION 1202. 85.05 (title) and (1) (intro.) and (a) to (k) of the statutes are renumbered 85.20 (title) and (1) (intro.), (b), (f), (h), (g), (L), (e), (k), (d), (a), (c) and (j), respectively, and 85.20 (1) (f), as renumbered, is amended to read:

85.20 (1) (f) “~~Total operating~~ Operating deficit” means the amount by which the total operating expenses incurred in the operation of an urban mass transit system exceeds the amount of operating revenue derived therefrom.

SECTION 1203. 85.05 (1) (L) of the statutes is repealed.

SECTION 1204. 85.05 (2) of the statutes is renumbered 85.20 (2) and amended to read:

85.20 (2) PURPOSE. The purpose of this section is to promote the general public good by preserving and improving existing urban mass transit systems in this state and encouraging their effective and efficient operation.

SECTION 1205. 85.05 (3) of the statutes is renumbered 85.20 (3) and 85.20 (3) (intro.) and (b) (intro.) and 2, as renumbered, are amended to read:

85.20 (3) ADMINISTRATION. (intro.) The department shall administer the urban mass transit aid operating assistance program and shall have all the powers necessary and convenient to implement this section, including the following powers:

(b) (intro.) To make and execute contracts with any eligible applicant to ensure the continuance and improvement of quality urban mass transit service at reasonable fares. No such contract is may be effective for a period of more than one year in length and is not enforceable no such contract may be enforced against the state unless the following conditions are met:

2. The participating urban mass transit ~~systems provide~~ system provides reduced fare programs for elderly and handicapped persons during nonpeak hours. Such reduced fares may not exceed one-half of the full adult cash fare applicable during peak hours of operation; and

SECTION 1206. 85.05 (3m) and (4) of the statutes are repealed.

SECTION 1207. 85.05 (5) of the statutes is renumbered 85.20 (5).

SECTION 1208. 85.055 of the statutes is repealed.

SECTION 1209. 85.06 of the statutes is repealed.

SECTION 1210. 85.08 (title) of the statutes is amended to read:

**85.08 (title) Freight railroad assistance.**

SECTION 1211. 85.08 (2) (intro.) of the statutes is amended to read:

85.08 (2) GENERAL POWERS. (intro.) The department shall administer the programs of financial assistance under this section for the purpose of assistance to or restoration of freight railroad service and shall maximize the use of available federal aid in conjunction with the allocation of state aid. The department may exercise those powers necessary to establish transportation service freight railroad assistance programs, including authority:

SECTION 1212. 85.08 (2) (a) of the statutes is repealed.

SECTION 1213. 85.08 (4) of the statutes is repealed and recreated to read:

85.08 (4) RAIL FERRY AND PLANNING GRANTS. Upon its own initiative or upon application by a government agency, the department may make grants for the continuance or improvement of Lake Michigan rail car ferry services and may make grants for or conduct rail system and service studies.

SECTION 1214. 85.08 (4m) (title) and (a) of the statutes are amended to read:

85.08 (4m) (title) FREIGHT RAILROAD PRESERVATION LOANS AND GRANTS. (a) The purpose of this subsection is to assist local governments in the preservation of freight rail service in those areas of the state confronted with the possibility of service discontinuation. The legislature finds that private capital and local government contributions are insufficient to prevent the breakdown of freight rail service. The legislature finds that freight rail service preservation bears a significant relationship to the conservation of energy, the preservation of existing economic and tax bases and the maintenance of a balanced transportation system. The legislature further finds that these are proper governmental functions and that the programs authorized under this subsection are therefore valid governmental functions serving proper public purposes. It is the intent of this subsection to promote the public good by preserving and improving freight rail service in this state.

SECTION 1215. 85.08 (4m) (b) 1m of the statutes is created to read:

85.08 (4m) (b) 1m. "Rail property" means all fixed property, real or personal, used in operating a railroad.

SECTION 1216. 85.08 (4m) (b) 2 of the statutes is amended to read:

85.08 (4m) (b) 2. "Rail property improvements" means any property exclusive of land used in operating a railroad or railway including, without limitation because of enumeration, rails, ties, switches, trestles and bridges ~~located on the right-of-way, but not including the right-of-way.~~

SECTION 1217. 85.08 (4m) (c) and (d) of the statutes are repealed and recreated to read:

85.08 (4m) (c) *Railroad facilities acquisition grants*. The department may make grants to eligible applicants for the purpose of purchasing rail property. The grant may be composed of state funds, federal funds, or a combination of state and federal funds. No grant for the acquisition of rail property improvements may exceed 80% of the acquisition cost. No grant for the acquisition of rail property exclusive of rail property improvements may exceed 100% of the acquisition cost. A grant may be made before or after the issuance of a certificate of public convenience and necessity by the interstate commerce commission permitting abandonment of a railroad line. No grant may be made under this paragraph for the purchase of rail property if the purchase price exceeds the department's assessment of the value of the property. A grant made under this paragraph shall be paid from the appropriation under s. 20.395 (2) (bq). The department shall administer the grant program and shall have all powers necessary and convenient to implement this paragraph and par. (d), including the following powers:

1. To develop the specifications and provisions of the grants which are made to eligible applicants.
2. To receive and review applications for grants and to prescribe the form, nature and extent of the information which shall be contained in applications.
3. To determine if the proposed rail service to be provided on the rail property acquired, rehabilitated or constructed with a grant under this paragraph or par. (d) has a likelihood of attaining and sustaining economic self-sufficiency and to employ such findings in the awarding of grants.
4. To determine if the rail property to be acquired with a grant under this paragraph offers satisfactory opportunity for alternate public use or recovery of public grant funds and to employ such findings in the awarding of grants.
5. To make and execute agreements with eligible applicants for grants. These agreements shall ensure that rail service on the line is continued and that the required maintenance, rehabilitation and improvement activities are performed.

6. To determine whether rail service is being continued and the required maintenance or improvement activities are being performed on a rail line for which a grant is made under this paragraph or par. (d). If rail service is discontinued or the grantee disposes of any portion of the rail property for which the grantee obtained a grant under this paragraph or par. (d), and the department does not approve the discontinuance or disposal, then the rail property for which the grant was obtained shall revert to the ownership and control of the department unless the department elects to accept repayment from the grantee of the full amount of all grants received from the department for the line.

(d) *Railroad rehabilitation and construction grants.* The department may make grants to eligible applicants for the purpose of rehabilitating or constructing rail property improvements. Construction shall be limited to that which is required to continue rail service on a particular line or to provide alternative rail service when a line has been abandoned. A grant under this paragraph may be composed of state funds, federal funds, or a combination of state and federal funds. No grant may exceed 80% of the costs of rehabilitation or construction. A grant may be made either before or after the issuance of a certificate of public convenience and necessity by the interstate commerce commission permitting abandonment of a railroad line. A grant made under this paragraph shall be paid from the appropriation under s. 20.395 (2) (bq).

SECTION 1218. 85.08 (4m) (e) (intro.) of the statutes is amended to read:

85.08 (4m) (e) (title) *Advance capital program for preabandonment rail line stabilization.* (intro.) Upon request of one or more eligible applicants, the department may negotiate and enter into agreements with eligible applicants, railroads, or rail users, or any combination of the foregoing, to advance capital on behalf of eligible applicants for purposes of rehabilitating rail ~~branch~~ lines. Applications for advance capital and advances of capital for rehabilitating ~~branch-line~~ rail property improvements may not be made if an abandonment or discontinuance application is pending on the line or portion of line, or the line or portion of line on which the rail property improvements are located has been designated by the railroad to the interstate commerce commission on its system diagram map as anticipated to be the subject of an abandonment or discontinuance application within a 3-year period following the date of the application or the date the advance of capital is scheduled, unless the secretary determines that this restriction may be waived for a particular application. Capital advances under this paragraph shall be paid from the appropriation under s. 20.395 (2) (bq). The department shall administer the advance capital program for preabandonment rail ~~branch~~ line stabilization and shall have all powers necessary and convenient to implement this paragraph, including the following powers:

SECTION 1219. 85.08 (4m) (f) of the statutes is repealed and recreated to read:

85.08 (4m) (f) *Freight railroad emergency fixed facility repair loans.* The department may make loans to eligible applicants who are grantees under par. (c) for the purpose of performing immediate limited emergency repairs necessary to keep an operating freight railroad line open at minimum safety and service levels. A loan may not be made under this paragraph unless the conditions requiring emergency repairs would prohibit the operation of trains. A loan may not be granted for a period of more than 6 months. The amount of a loan may not exceed the amount provided by the applicant as the local share of a grant under par. (c) unless the applicant obtains a repayment guarantee for any additional amount from the counties through which the line operates. A loan agreement shall provide for the payment of interest at commercial rates. A loan made under this paragraph shall be paid from the appropriation under s. 20.395 (2) (bq). The department shall administer the loan program and shall have all powers necessary and convenient to implement this paragraph, including the following powers:

1. To develop the specifications and provisions of the loans which are made to eligible applicants.

2. To receive and review applications for loans under this paragraph and to prescribe the form, nature and extent of the information which shall be contained in the loan application.

3. To collect and accept loan repayments and interest.

SECTION 1220m. 85.08 (5) (title) of the statutes is renumbered 85.21 (title) and amended to read:

**85.21 (title) Specialized transportation assistance program for counties.**

SECTION 1221. 85.08 (5) (a) and (b) of the statutes are renumbered 85.21 (1) and (2), and 85.21 (1) and (2) (intro.) and (a), as renumbered, are amended to read:

**85.21 (title) Specialized transportation assistance program for counties.** (1) **PURPOSE.** The purpose of this subsection section is to promote the general public health and welfare by providing financial assistance to counties providing transportation services for the elderly and handicapped, and to thereby improve and promote the maintenance of human dignity and self-sufficiency by affording the benefits of transportation services to those people who would not otherwise have an available or accessible method of transportation.

(2) **DEFINITIONS.** (intro.) In this subsection section:

(a) "County proportionate share" means the amount allocated to a county under this subsection section which is based on the total amount appropriated for purposes of this subsection section during the current fiscal year multiplied by the ratio of the number of elderly and handicapped persons in the county to the total number of elderly and handicapped persons in this state and which provides for a minimum base amount for each county, as determined by the department.

SECTION 1221m. 85.08 (5) (c) of the statutes is renumbered 85.21 (3) (intro.), (a), (b), (c) and (e), and 85.21 (3) (intro.), (a) and (c), as renumbered, are amended to read:

**85.21 (3) ADMINISTRATION.** (intro.) The department shall administer the specialized transportation service assistance program and shall have all the powers necessary and convenient to implement this subsection section, including the following powers:

(a) To receive and review county plans for specialized transportation service assistance under this subsection section and to prescribe the form, nature and extent of the information which shall be contained in the county plans. County plans may also include specialized transportation services to persons age 55 or over.

(c) To make and execute contracts with counties to ensure the provision of specialized transportation service. Payments under such contracts to eligible applicants shall not exceed the county proportionate share, except as supplemented under ~~subd. 4 par. (e)~~. No such contract shall be effective for a period of more than one year in length. Contract requirements may require the county to make a matching contribution of 10% of the county proportionate share or to furnish information determined necessary by the department for periodic program monitoring and year-end auditing and evaluation.

SECTION 1222. 85.08 (6) of the statutes is renumbered 85.22, and 85.22 (1), (2) (intro.), (3) (intro.), (a) and (d) and (4), as renumbered, are amended to read:

**85.22 (1) PURPOSE.** The purpose of this subsection section is to promote the general public health and welfare by providing capital assistance to private, nonprofit organizations providing transportation services to elderly and handicapped people.

(2) **DEFINITIONS.** (intro.) In this subsection section:

(3) **ADMINISTRATION.** (intro.) The department shall administer the grant program and shall have all the powers necessary and convenient to implement this subsection section, including the following powers:

(a) To receive and review annually applications for aid under this ~~subsection~~ section and to prescribe the form, nature and extent of information which shall be contained in applications. Applicants ~~Each applicant~~ shall indicate whether the transportation services it provides or proposes to provide conflict with any transportation services being assisted under sub. ~~(5)~~ s. 85.21.

(d) To audit the records of all private nonprofit organizations receiving aids under this ~~subsection~~ section in accordance with generally accepted accounting principles and practices.

(4) (title) AMOUNT AND USE OF AID. Commencing with the highest ranked application and to the extent that state moneys are available, the department shall offer to each eligible applicant receiving federal assistance, an amount equal to the nonfederal share of the estimated capital project costs. ~~For those eligible applicants not receiving federal assistance, and to the extent that state moneys are available, the department shall offer an amount equal to of state aid such that the sum of federal and state aid received by an applicant does not exceed 80% of the estimated capital project costs.~~ State aids available under this ~~subsection~~ section shall not be available for operating purposes.

SECTION 1223. 85.08 (7) of the statutes is renumbered 85.23.

~~SECTION 1223m. 85.08 (8) of the statutes is created to read:  
85.08 (8) APPROVAL REQUIRED. The department may not authorize the expenditure of moneys under this section, except for railroad service continuation under sub. (4) and the emergency fixed facility repair loans under sub. (4m) (f), for any project requiring approval under s. 13.489 (8) and (9) until such approval is obtained.~~

Vetoed  
in Part

SECTION 1224. 85.09 (2) of the statutes is amended to read:

85.09 (2) (title) FIRST RIGHT OF ACQUISITION. The department shall have the first right to acquire, ~~subject to s. 13.489 (8) and (9),~~ for present or future transportational, recreational or scenic purposes, any property used in operating a railroad or railway including ~~rights-of-way~~ land and rails, ties, switches, trestles, bridges and the like located thereon, which has been abandoned. Acquisition may be by gift, purchase or condemnation in accordance with the procedure under s. 32.05. No person owning such abandoned property, including any person to whom ownership reverts upon abandonment, may convey or dispose of any abandoned property without first obtaining a written statement from the department indicating that it does not intend to exercise its right to acquire the property. No railroad or railway may convey any such property prior to abandonment if that property is part of a rail line shown on the railroad's system map as in the process of abandonment, expected to be abandoned or under study for possible abandonment unless the conveyance or disposal is for the purpose of providing continued rail service under another company or agency. Any conveyance made without obtaining such release is void. The department's first right of acquisition under this subsection does not apply to any railroad property declared by the department to be abandoned before January 1, 1977. The department may acquire any abandoned property under this section regardless of the date of its abandonment.

Vetoed  
in Part

SECTION 1225. 85.09 (3) (intro.), (a) and (b) (intro.) of the statutes are amended to read:

85.09 (3) (title) DETERMINATION OF ABANDONMENT. (intro.) For purposes of this section, railroad or railway property shall be deemed abandoned if one of the following paragraphs applies:

(a) A certificate or approval of abandonment has been issued by the interstate commerce commission or any other federal or state agency having jurisdiction over the abandonment of ~~such the~~ property and operations have been terminated in accordance with the certificate or approval; ~~or.~~



(b) (intro.) ~~Such~~ A certificate or approval of abandonment is not required and the use of ~~such~~ the property for railroad or railway purposes has been discontinued with the intent not to resume. Intent not to resume may be inferred from circumstances including, but not limited to, the following:

SECTION 1226. 85.09 (3) (c) of the statutes is created to read:

85.09 (3) (c) A federal bankruptcy court or trustee declares the property to be excess to a reorganizable rail system and offers it for sale.

SECTION 1227. 85.09 (4) of the statutes is amended to read:

85.09 (4) (title) ACQUISITION AND CONVEYANCE. Upon its own initiative, the department may determine at any time whether the property of the railroad ~~or railway~~ is abandoned, and whether it is in the best interest of the state to acquire such property. Within 90 days after being requested by any state agency, any railroad ~~or railway~~, or any county or municipality in which the property is located, the department shall, subject to sub. (5) (b), make a determination of the abandonment status and, if found to be abandoned, shall determine whether it is in the best interest of the public to acquire the property. If it is determined to acquire the property or any part or interest therein, the department shall, within 180 days of the determination of its abandoned status, or the interstate commerce commission's final order permitting the abandonment, or the termination of any efforts to negotiate an agreement for continual operation of rail service on the line, whichever occurs last, determine the fair market value of the property and acquire the property at a price deemed reasonable by the department or make a relocation order under s. 32.05. In making its determination, the department shall consider long-range potential for use of such property for restoration of railroad service and for public transit other transportation related purposes. The department shall solicit the opinions of appropriate state agencies, affected counties and municipalities and other interested persons. The department shall give due consideration to an expressed desire by a state agency or an affected county or municipality to acquire, in whole or in part, the property under consideration. All Subject to sub. (6), all or part of any interest in abandoned property acquired by the department under this section or under s. 66.941 (7), 1975 stats., may be subsequently conveyed to another state agency or a county or municipality for transportational, recreational or scenic purposes, or to a railroad for continued railroad transportation operations when the railroad has operated on the property for 5 years and the department may make such conveyances for such purposes. Any determination of the department under this section that property is not abandoned shall not preclude the undertaking of a subsequent investigation and determination concerning the same property or any portion thereof. If at any time subsequent to the acquisition of property under this section the department determines that the property is not suitable for transportational, recreational or scenic purposes, or that the property or any interest therein may be conveyed to any other person on terms which are not inconsistent with the potential use of the property for transportational, recreational or scenic purposes or which yield a benefit, including financial benefits, to the state which outweighs the benefit derived from the property if used for transportational, recreational or scenic purposes, the department may convey the property or such interest therein, subject to sub. (6). The department shall give notice of its intention to make the conveyance, and state and local units of government shall have the first 6 months in which to exercise their opportunity to acquire the property or interest therein. The railroad ~~or railway~~ from which the property was acquired shall have the next 6 months in which to exercise ~~their~~ its opportunity to ~~acquire~~ reacquire the property or interest therein. ~~The department may adopt such rules as it deems necessary to accomplish the purposes of this section.~~

SECTION 1228. 85.09 (5) of the statutes is created to read:

85.09 (5) DUTIES OF RAILROADS AND OTHERS. (a) Any railroad which places a rail line or portion of a line on a system diagram map shall within 60 days of such action provide to the department one legible copy of each map in the railroad's possession which

shows property boundaries or engineering stations for the line involved. At the same time the railroad shall provide to the department all other pertinent information in its possession requested by the department relating to the title to the property covered by the line involved. The department shall determine the reasonable cost to the railroad of providing documents and information under this paragraph and shall reimburse the railroad in this amount. Any conveyance by the railroad made without providing the information required by this paragraph is void.

(b) Any state agency, railroad, county or municipality which requests the department to make a determination of abandonment status and public interest in acquisition of property under sub. (4) shall provide a formal legal description of the property which is the subject of the request. The department may decline to take action on requests which do not contain an adequate description of the property involved. When the department provides a release of its first right to acquire property, the state agency, railroad, county or municipality which receives the release shall within 90 days have the release recorded by the register of deeds for each county in which the property is located.

SECTION 1229. 85.09 (6) of the statutes is created to read:

85.09 (6) STATE RIGHTS SUBORDINATE TO FEDERAL LAW. To the extent that the first or subsequent rights of acquisition under this section conflict with rights conferred by 49 USC 10905 (f) (4) or 10910 (h), the rights conferred by this section are subordinate to such federal rights and shall take effect only when consistent with 49 USC 10905 (f) (4) and 10910 (h).

SECTION 1230. 85.09 (7) of the statutes is created to read:

85.09 (7) RULES. The department may adopt such rules as it deems necessary to accomplish the purposes of this section.

~~SECTION 1230m. 85.095 (2) (intro.) of the statutes is amended to read:~~

~~85.095 (2) ADMINISTRATION. (intro.) The department, in consultation with the Wisconsin coastal management council created under s. 14.019, shall administer the harbor assistance program and shall have the following powers, subject to project approval under s. 13.489 (8) and (9), where required.~~

Vetoed  
in Part

SECTION 1232. 85.20 (4m) of the statutes is created to read:

85.20 (4m) STATE AIDS. Payments of state aids appropriated for this program shall be in accordance with the terms and conditions of contracts executed between the department and eligible applicants. State aid payments shall be subject to the following limitations:

(a) From the amounts appropriated under s. 20.395 (1) (bq), an amount equal to 30% of the projected operating costs of each eligible applicant's urban mass transit system shall be allocated to each eligible applicant.

(e) If the amounts appropriated under s. 20.395 (1) (bq) are less than the percentages specified in par. (a), the allocations shall be made on a proportional basis.

(em) The sum of the state aid allocations made to each applicant under par. (a) may not exceed either:

1. Thirty percent of the audited operating expenses for the project year of the applicant's urban mass transit system; or
2. The nonfederal share of the audited operating deficit for the project year of the applicant's urban mass transit system.

(f) If more than one local public body contributes assistance to the operation of an urban mass transit system, the state aids allocated under this section shall be distributed among the contributors in accordance with any cost-sharing agreement that is filed with the department. If no agreement is filed, the aids shall be distributed among the contributors in proportion to their contributions.

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SECTION 1232m. 85.20 (4s) of the statutes is created to read:

85.20 (4s) PAYMENT OF AIDS UNDER THE CONTRACT. The contracts executed between the department and eligible applicants under this section shall provide that the state aid payment for the last quarter of the state's fiscal year shall be provided from the following fiscal year's appropriation under s. 20.395 (1) (bq).

SECTION 1233. 85.20 (6) of the statutes is created to read:

85.20 (6) PLANNING REQUIREMENT. As a condition of eligibility to receive state aids, an applicant is required to annually prepare and submit to the department a 4-year transit development program, in the form and manner prescribed by the department. The rules adopted to implement this subsection shall be compatible with applicable federal regulations.

SECTION 1233m. 85.21 (2) (g) of the statutes is created to read:

85.21 (2) (g) "Copayment" means the fee imposed on a person for the use of the specialized transportation service.

~~SECTION 1233g. 85.21 (3) (d) of the statutes is created to read:~~

~~Vetoed in Part 85.21 (3) (d) To encourage the transportation of elderly and handicapped individuals under the specialized transportation assistance program for medical, nutritional and work-related activities as the priority in the use of state funds.~~

SECTION 1234. 85.21 (4) of the statutes is created to read:

~~Vetoed in Part 85.21 (4) COUNTY PLAN PROVISIONS; COPAYMENTS. (a) The county shall establish the transportation of elderly and handicapped persons to medical, nutritional and work-related activities as the priority for the specialized transportation services.~~

~~Vetoed in Part (b) Specialized transportation services may at the discretion of the county also be open to the general public on a space-available basis.~~

~~Vetoed in Part (c) 1. The county shall require a copayment by the user of the specialized transportation service for all transportation except the transportation established as a priority under par. (a).~~

2. The county shall establish the amount of copayment required under subd. 1 and the method by which the copayment is collected from the user.

3. The county shall collect and incorporate into the county plan data regarding the purposes and activities for which individuals use the specialized transportation services.

(d) A county may not use aids provided under this section to support the regular route services of an urban mass transit system receiving state aids under s. 85.20. A county may use aids provided under this section to support subsystems of urban mass transit systems that provide special services to the elderly or the handicapped.

SECTION 1235. 85.24 of the statutes is created to read:

**85.24 Ride-sharing assistance program.** (1) PURPOSE. The purpose of this section is to promote the conservation of energy, reduce traffic congestion, improve air quality and enhance the efficient use of existing transportation systems by planning and promoting ride-sharing programs and providing technical and financial assistance to public and private organizations for the development and implementation of ride-sharing programs.

(2) DEFINITIONS. In this section, "ride sharing" means the use of a single motor vehicle by 2 or more persons for the purpose of commuting to and from their places of employment, and includes:

(a) Commuting to and from places of employment by means of a car pool, a van pool or mass transit.

(b) Commuting to and from an educational institution other than a high school for the purpose of attending classes.

(3) ADMINISTRATION. (a) The department shall be the lead state agency in ride-sharing activities and shall have all powers necessary to implement a state ride-sharing assistance program which shall include the coordination of ride-sharing activities in this state, the promotion and marketing of ride-sharing activities, the dissemination of technical information, the provision of technical and financial assistance to public and private organizations for the planning, development and implementation of ride-sharing programs, and the development and distribution of computer and manual matching systems.

(b) The department may apply for and receive federal grants on its own behalf or as requested on behalf of other private and public organizations.

(c) The department may administer a program for the distribution of any federal funds for ride sharing that are made available to the state.

SECTION 1236. 85.30 of the statutes is created to read:

**85.30 Motor-driven cycle, moped and motor bicycle safety program.** The department shall develop and administer a motor-driven cycle, moped and motor bicycle safety program. The program shall include operational skills training, safety education and public awareness and such other elements as the department deems desirable. The department may make grants under this program for establishment of courses which further the aims of this program. The department shall adopt rules to implement this section.

SECTION 1237. 86.13 (5) of the statutes is amended to read:

86.13 (5) Any railroad company that ~~incurs expenses~~ receives notice from the department under this section with respect to a state trunk highway may file a claim for reimbursement with the department of transportation. ~~At the end of each fiscal year, the~~ The department shall reimburse claimants for 85 % of the eligible costs incurred, ~~except that if the appropriation under s. 20.395 (2) (br) is not adequate to fund such reimbursement, the amount appropriated under s. 20.395 (2) (br) shall be prorated among the claimants in proportion to their claims in the repair of a highway grade crossing.~~ No claim for reimbursement may be paid by the department under this subsection unless the department approved the plans and estimated cost of the project prior to the start of the project. The department may inspect each completed project to verify the amount of the claim for reimbursement. The department shall create a procedure for establishing the priority for projects with respect to state trunk highways under this section for the purpose of programming reimbursements.

~~SECTION 1237c. 86.19 (5m) of the statutes is created to read.  
86.19 (5m) The department shall permit any county or municipality to erect such signs on any highway bordering or within the boundaries of the county or municipality as are necessary to provide adequate directions to the campuses of the university of Wisconsin system.~~

Vetoed  
in Part

SECTION 1237e. 86.26 of the statutes is renumbered 86.26 (1), and 86.26 (1) (intro.), (c) 6, (d) 7, (e) 7 and (f) 7, as renumbered, are amended to read:

86.26 (1) (intro.) The following ~~uniform~~ minimum geometric design standards as recommended by the highway advisory committee in consultation with officers of the county highway committeemen's association, the county highway commissioners association and the Wisconsin towns association are established for improvements on town roads initiated after January 1, 1964:

- (c) 6. Bridge width ..... 26 24 feet
- (d) 7. Bridge width ..... 30 26 feet
- (e) 7. Bridge width ..... 30 28 feet
- (f) 7. Bridge width ..... 44 ~~feet~~-30 feet

SECTION 1237m. 86.26 (2) and (3) of the statutes are created to read:

86.26 (2) The department of transportation may approve deviations from the minimum standards in special cases where the strict application of the standards is impractical and where such deviation is not contrary to the public interest and safety and the intent of this section.

(3) The minimum design standards specified for bridge design load and bridge width under sub. (1) do not apply after the first day of the 9th month following the effective date of this subsection (1981) or after the department of transportation establishes standards by rule under s. 86.265, whichever comes first.

SECTION 1237s. 86.265 of the statutes is created to read:

**86.265 Rules for town road bridge standards.** The department of transportation shall establish by rule uniform minimum design standards for the improvement of town road bridges.

SECTION 1239. 86.30 (2) of the statutes is amended to read:

86.30 (2) **NEW FORMULA AMOUNT.** (a) For the purpose of determining the new formula amount a "local formula factor" shall first be calculated for every county and municipality which reports costs data in accordance with s. 86.303.

(b) The "local formula factor" shall be determined by multiplying the following factors: the functionally classified road mileage under the jurisdiction of the county or municipality as determined under s. 86.302; the appropriate cost factor established under s. 86.303; and the appropriate state responsibility factor established under s. 86.304.

(c) The proportion of the "local formula factor" for a particular county or municipality to the total of all "local formula factors" shall be considered the "local proportionate share" of the particular county or municipality. The amount determined by multiplying the local proportionate share times the base amount is the new formula amount.

SECTION 1240. 86.30 (4) (a) of the statutes is amended to read:

86.30 (4) (a) The transportation aids payable by the department to each county and municipality for fiscal year 1977-78 and each fiscal year thereafter, shall be the new formula amount or the base year distribution, whichever is greater; provided that commencing with fiscal year ~~1980-81~~ 1984-85, and thereafter, once a county or municipality is paid the new formula amount for a fiscal year, it shall thereafter continue to be paid the new formula amount. Commencing with fiscal year 1981-82 and thereafter, no county or municipality may be paid an amount greater than the most recently reported calendar year cost data. If the amount appropriated under s. 20.395 (1) (ar) is insufficient to pay the base year distribution, the department shall prorate the amount in the manner the department deems desirable.

SECTION 1241. 86.30 (4) (b) of the statutes is repealed and recreated to read:

86.30 (4) (b) Transportation aid payments under this subsection in 1981-82 shall be paid in 3 equal instalments on the first Monday in October, January and April. Thereafter, the reimbursement shall be paid in 4 instalments on the first Monday in July, October, January and April. Unless fiscal year adjustments are necessary, the July and October payments provided in 1982-83 and thereafter shall be equal to the payments provided in January and April of the previous fiscal year. If fiscal year adjustments are necessary, the department shall make these adjustments in the payment made on the first Monday in July. If such an adjustment is made, the payment made on the first Monday in October shall be an amount equal to the average of the prior 3 payments.

SECTION 1242. 86.30 (6) of the statutes is amended to read:

86.30 (6) **ADJUSTMENTS IN BASE YEAR DISTRIBUTION.** If the jurisdictional road mileage of a county or municipality is reduced as a result of incorporation, consolidation, annexation, detachment, abandonment or some similar procedure whereby the ~~territorial~~ jurisdiction of the county or municipality is transferred, in whole or in part, to a new or

another county or municipality, the percentage reduction in jurisdictional road mileage shall be reflected by making a proportionate reduction in the base year distribution figure for the county or municipality from which territorial jurisdiction is transferred. The adjusted base year distribution figure shall be used under sub. (4) (a) to determine transportation aids payable in fiscal years following certification of the change in jurisdictional mileage responsibility under s. 86.305.

SECTION 1244m. 86.30 (8) of the statutes is created to read:

86.30 (8) **TRANSPORTATION AIDS FOR 1980-81.** If the department is directed by a court to pay counties and municipalities the amount by which the 1980-81 local transportation aids were reduced because of revenue deficiencies, the department shall make the payment from the transportation aids appropriation for the next fiscal year after the court order is final.

SECTION 1244s. 86.30 (9) of the statutes is created to read:

86.30 (9) **AID CALCULATIONS FOR 1981-82 AND 1982-83.** For the purpose of calculating and distributing transportation aids under this section, the 1981-82 and 1982-83 aid calculation and distribution shall be based on an appropriation under s. 20.395 (1) (aq) of \$117,274,800 less the amounts necessary to make the payments under chapter .... (this act), laws of 1981, section 2051 (3) in 1981-82 and \$127,829,500 in 1982-83 and an appropriation under s. 20.395 (1) (ar) of \$7,125,000 in 1981-82 and \$8,181,000 in 1982-83. The October, January and April payments in 1981-82 and the July payment in 1982-83 shall be based on the 1981-82 appropriations indicated under this subsection and the aid calculation formula for 1981-82. The October, January and April payments in 1982-83 and the July payment in 1983-84 shall be based on the 1982-83 appropriations indicated under this subsection and the aid calculation formula for 1982-83.

SECTION 1247. 86.301 (4) of the statutes is amended to read:

86.301 (4) **ANNUAL AND PERIODIC UPDATE.** The department shall update the functional classification annually to reflect new construction, and conduct a complete review of all functional classifications on the entire state and local highway system not less than once every 5 years. Other changes in functional classification may be made ~~annually~~ biennially by the department when the character of travel on a specific road changes significantly. The review and other changes shall be made in cooperation with appropriate local officials.

SECTION 1248. 86.302 (2) of the statutes is amended to read:

86.302 (2) The department shall establish uniform regulations and criteria for the classification of roads and shall disseminate such information to local units of government. The department shall cooperate with and provide assistance to local units of government in their functional classification and jurisdictional mileage determination efforts. The department shall inventory and verify all road mileage in a county or municipality once every 5 years.

SECTION 1249. 86.303 (1) of the statutes is amended to read:

86.303 (1) (title) **AVERAGE COST FACTOR ANALYSIS.** The department shall conduct continuing analyses of the ~~costs~~ average cost-per-mile of construction and maintenance on the state and local highway ~~system systems~~ and shall select average cost factors that establish the differences in highway related costs between functionally classified road mileages. This data shall be used to recommend revisions to the average cost factors under sub. (3). Average cost factor data shall be developed based on the functional classification system in s. 86.301.

SECTION 1250. 86.303 (1m) of the statutes is created to read:

86.303 (1m) **BUDGET REQUEST DATA.** The department shall select a functionally classified system as determined under s. 86.301 (4) and a set of average cost factor data as determined under sub. (1) for its biennial budget request.

SECTION 1251. 86.303 (2) of the statutes is repealed and recreated to read:

86.303 (2) ACTUAL COST FACTOR CALCULATION. The department shall calculate actual annual cost factors based on functional classification for each county and municipality. The cost factors shall be calculated in the following manner:

(a) The functionally classified road mileage under the jurisdiction of the county or municipality as determined under s. 86.302 shall be weighted by multiplying this mileage times the functionally classified average cost factors as determined under sub. (3).

(b) The proportion of each functionally classified weighted mileage to the total weighted mileage shall be used to calculate the functionally classified weighted costs for each county and municipality from the actual cost data reported under sub. (5).

(c) The functionally classified weighted costs shall be divided by functionally classified mileage to determine the actual annual cost factors for each county and municipality.

SECTION 1252. 86.303 (3) (intro.) of the statutes is amended to read:

86.303 (3) (title) AVERAGE COST FACTORS. (intro.) For the purposes of determining aids to local units of government under s. 86.30 the following average cost factors shall be utilized by the department until new ~~actual~~ average cost ~~data~~ is factors are developed under sub (1).

SECTION 1254. 86.303 (4) (title) of the statutes is created to read:

86.303 (4) (title) MULTIYEAR COST FACTORS.

SECTION 1255. 86.303 (4) (a) of the statutes is amended to read:

86.303 (4) (a) The cost factor used to determine the new formula amount for local units of government for fiscal year 1980-81 to fiscal year 1983-84 shall be based on a combination of 6 years of cost factors calculated from actual annual ~~costs~~ cost data as reported under sub. (5) and average ~~costs~~ cost factors under sub. (3). In fiscal year 1980-81, the multiyear average shall be based on the actual ~~cost data~~ factors calculated for calendar years 1978 and 1979 and 4 years of average ~~costs~~ cost factors under sub. (3). The multiyear average for each subsequent fiscal year shall be based on one additional year of actual ~~costs data~~ cost factors and one less year of average ~~cost data~~ factors under sub. (3) until the multiyear average includes cost factors calculated from actual annual cost data for 6 years. In each fiscal year, the department may determine the cost factor under this paragraph by combining the data determined under subs. (3) and (5) in the proportion that the number of years for which each type of data is calculated bears to the total 6 years used to determine the cost factor.

SECTION 1256. 86.303 (5) of the statutes is amended to read:

86.303 (5) (title) ANNUAL COSTS DATA. (a) The department, with the assistance of the department of revenue and representatives of local governments and their associations appointed by the secretary, shall prescribe a uniform cost reporting procedure ~~which shall be effective January 1, 1978.~~

(b) Cost data shall be reported on a calendar year basis, and reports or a written request for extension shall be submitted to the department ~~by July 31, 1979, and by May 15 of each year thereafter~~ the following year, except as provided under pars. (c) and (d). All extensions under this paragraph shall be until the first Monday in June and no extension beyond that date may be granted.

(c) If a county or municipality fails to submit a substantially complete and accurate report ~~by July 31, 1979, or by May 15 of each year thereafter~~ or by the first Monday in June if a written request for extension has been received in the department or department of revenue as provided in par. (a), (b) or (c), the aids payable to the county or municipality during the following state's fiscal year shall be equal to 90% of the aids actually paid to the county or municipality under s. 86.30 (4) during the state's preceding fiscal

year, even in cases where the preceding year's distribution is equal to the base year distribution.

SECTION 1257. 86.303 (5) (c) and (d) of the statutes are created to read:

86.303 (5) (c) The department and the department of revenue shall prescribe a statewide uniform cost reporting procedure under s. 73.10 for municipalities under 2,500 population. The cost report or a written request for extension shall be submitted to the department of revenue beginning May 15, 1982, by municipalities under 2,500 population for the purposes under this section. All extensions under this paragraph shall be until the first Monday in June and no extension beyond that date may be granted. The department of revenue shall forward the highway related cost data to the department.

(d) The department and the department of revenue shall prescribe a statewide uniform cost reporting procedure under s. 73.10 for counties and for municipalities over 2,500 population. The cost reports or a written request for extension shall be submitted to the department of revenue beginning May 15, 1984, by counties and by municipalities over 2,500 population for the purposes under this section. All extensions under this paragraph shall be until the first Monday in June and no extension beyond that date may be granted. The department of revenue shall forward the highway related cost data to the department.

SECTION 1258. 86.303 (6) (title) of the statutes is created to read:

86.303 (6) (title) ELIGIBLE COST ITEMS.

SECTION 1260. 86.303 (7) of the statutes is amended to read:

86.303 (7) (title) COST REVIEW AND AUDIT. (a) The department shall analyze the county and municipal cost reports to identify cost reports that do not conform to reasonable averages and statistical groups or with previous reported costs. The department may request information from those municipalities or counties to explain the deviation. If not satisfied, the department may order the municipality or county to conduct and report to the department an independent certified audit of their cost report, and the audit costs shall be a reportable cost item if the audit substantially verifies the original cost report.

(b) If the county or municipality fails to conduct such an audit, the aids payable during the state's following fiscal year shall be equal to 90% of the aids actually paid during the preceding fiscal year. If the department has reason to believe that the 90% payment will be greater than the actual payment should be, the department may itself order an independent audit and deduct the audit costs from the transportation aids paid to the county or municipality under s. 86.30 (4). Any underpayment or overpayment of aids resulting from cost reporting errors shall be rectified by adjusting aids paid in the following fiscal year.

SECTION 1261. 86.303 (7) (c) and (d) of the statutes are created to read:

86.303 (7) (c) Any county or municipality which has submitted its cost report may amend such cost report prior to May 15 or prior to the first Monday in June if a written request for extension has been received. Any amendments shall be submitted to the department or the department of revenue whichever is appropriated under s. 86.305. Any county or municipality which desires to amend its cost report after the first Monday in June shall submit an independent, certified audit to the department no later than the day following Labor Day.

(d) Any county or municipality which desires to amend past year cost reports shall submit an independent, certified audit to the department.

SECTION 1264. 86.315 of the statutes is repealed.

SECTION 1265. 86.32 (2) (a) of the statutes is amended to read:



86.32 (2) (a) Cities of the 1st, 2nd and 3rd class shall be reimbursed for actual costs, as approved by the department, incurred in maintaining and operating ~~swing and~~ lift bridges. Documentation of costs shall be submitted by each municipality by January 31 and reimbursement shall be made ~~by June 1, starting in 1982-83, on the first Monday in July~~ for costs incurred during the prior calendar year. If the amount appropriated under s. 20.395 (1) (au) is insufficient to pay the actual costs approved by the department for the maintenance and operation of ~~swing and~~ lift bridges, the department shall prorate the amount appropriated in the manner it deems desirable.

SECTION 1265e. 86.32 (2) (b) of the statutes is amended to read:

86.32 (2) (b) 1. Reimbursement for maintenance of connecting highways shall be determined annually as follows: \$5,420 per lane mile for municipalities having a population over 500,000; \$5,010 per lane mile for municipalities having a population of 150,001 to 500,000; \$4,470 per lane mile for municipalities having a population of 35,001 to 150,000; \$3,930 per lane mile for municipalities having a population of 10,000 to 35,000; and \$3,390 per lane mile for municipalities having a population under 10,000. For the first 2 lanes of a highway, the applicable rate per lane mile shall be paid in full. For the 2nd 2 lanes of a highway, the payable rate per lane mile shall be 75 % of the appropriate rate per lane mile prescribed in this section. For the 3rd 2 lanes, and any additional lanes, of highway, the payable rate per lane mile shall be 50% of the appropriate rate per lane mile prescribed in this section.

2. For the purpose of this section, the term "lane miles" means miles of through traffic carrying lanes and does not include lanes on which parking is permitted. Lane miles on any section of connecting highway which have been certified by the department for payment purposes under this section shall not be increased unless they are needed for through traffic and approved by the department. The "lane miles" as of January 1, 1977, are the certified lane miles. ~~The annual reimbursement shall be paid in 4 equal instalments on the first Monday in October, January and April and the last Monday in June.~~

3. The amount appropriated under s. 20.395 (1) (as) shall be distributed according to the per lane mile rate established in this subsection as adjusted by the inflation rate determined under sub. (3).

4. ~~Connecting highway aids in 1981-82 shall be paid in 3 equal instalments on the first Monday in October, January and April. Each of these instalments shall be computed as being equal to one-fourth of the annual per lane mile reimbursement rate applicable to 1981-82. In 1982-83 and thereafter, the reimbursement shall be paid in 4 instalments on the first Monday in July, October, January and April. The July instalment under this subsection shall be computed as being equal to one-fourth of the annual per lane mile reimbursement rate applicable to the previous fiscal year. The October, January and April payments shall be computed as being equal to one-fourth of the annual per lane mile reimbursement rate applicable to the fiscal year in which the distribution occurs.~~

5. If the amount appropriated under s. 20.395 (1) (as) is insufficient to make the payments for lane mile reimbursement under this subsection and sub. (3), the department shall prorate the amount appropriated in the manner it deems desirable.

SECTION 1265m. 86.32 (3) of the statutes is renumbered 86.32 (3) (a) and amended to read:

86.32 (3) (a) ~~The~~ Except as provided in par. (b), the per lane mile reimbursement rate established in sub. (2) shall be adjusted for fiscal year 1980-81 and annually thereafter to reflect the percentage of change attributed to the rate of inflation. For purposes of this ~~subsection paragraph~~, the percentage attributable to inflation shall be the same percentage as the inflationary rate adjustment to the appropriation under s. 20.395 (3) (eq). The per lane mile reimbursement rate adjusted under this subsection shall be rounded to the nearest \$10 per lane mile.

SECTION 1265r. 86.32 (3) (b) of the statutes is created to read:

86.32 (3) (b) For fiscal years 1981-82 and 1982-83, the per lane mile reimbursement rate established in sub. (2) shall be adjusted by 9% to reflect the percentage of change attributed to the rate of inflation.

SECTION 1266. 86.34 (title) of the statutes is amended to read:

**86.34 (title) Flood damage aids.**

SECTION 1266m. 86.35 of the statutes is created to read:

**86.35 Memorial street bridge.** (1) The department shall pay to the city of Appleton and the county of Outagamie an amount equal to \$877,100 or one-third of the local funds expended by the city and county for the reconstruction of the Memorial street bridge in the city of Appleton, whichever is less.

Vetoed  
in Part

(2) The department shall reimburse the city and county under this section in proportion to the amount of local funds expended on the project.

SECTION 1267. 87.01 (7) (a) of the statutes is amended to read:

87.01 (7) (a) As applied to any town, village or city, the value of the real property therein as determined by the county board pursuant to s. 70.61 department of revenue under s. 70.57;

SECTION 1267m. 91.01 (2) of the statutes is repealed and recreated to read:

91.01 (2) "Board" means the land conservation board.

SECTION 1269m. 91.13 (8) (d) of the statutes is amended to read:

91.13 (8) (d) Farming operations shall be conducted in substantial accordance with an approved soil and water conservation district conservation plan. The county soil and water conservation district supervisors shall ensure that such plans are prepared and followed a soil and water conservation plan approved by the land conservation committee of the county board. The land conservation committee shall ensure that these plans are prepared and followed. Deviation from a plan may be allowed, if, in the judgment of the supervisors land conservation committee, personnel are not available to lay out the suggested practices on the land or if the practices are not economical for the owner to adopt.

SECTION 1271g. Chapter 92 of the statutes is repealed and recreated to read:

CHAPTER 92

SOIL AND WATER CONSERVATION

**92.01 Name.** This chapter is known as the "soil and water conservation law".

**92.02 Legislative intent.** (1) The legislature finds that the soil resources of this state are being depleted by wind and water erosion and that the waters of this state are being polluted by nonpoint sources of pollution. The legislature further finds that these are statewide problems endangering the health and welfare of the state's citizens, its recreational resources, agricultural productivity and industrial base.

(2) The legislature declares it to be the policy of this state to halt and reverse the depletion of the state's soil resources and pollution of its waters.

(3) It is the intent of the legislature to implement this policy by enacting this soil and water conservation law to:

- (a) Encourage coordinated soil and water use planning;
- (b) Provide for cost sharing, technical assistance, educational programs and other programs to protect soil and water resources;
- (c) Regulate harmful soil and water uses where necessary; and
- (d) Establish goals and standards for preservation of soil and water resources.

**92.03 Definitions.** In this chapter:

(1) "Agency" means any department, agency, board, commission, committee, council, officer, subdivision or instrumentality, corporate or otherwise, of this state.

- (2) "Board" means the land conservation board created under s. 15.135 (4).
- (3) "Department" means the department of agriculture, trade and consumer protection.
- (4) "Landowner" means any person over 18 years of age and any co-partnership, firm or corporation that holds title to land lying within a district whether or not this land is subject to easement, mortgage, lien, lease or restrictive covenant, except that this term does not include any person who is under guardianship, a person who is incompetent or a person who is mentally ill. A person, partnership, firm or corporation is deemed to hold title to land if the person, partnership, firm or corporation has any of the following:
- (a) Title as sole owner.
  - (b) Title as a joint owner.
  - (c) Title as owner of an undivided interest.
  - (d) Title as sole or joint trustee or as sole or joint assignee.
  - (e) A land contract vendor's interest therein.
- (5) "Secretary" means the secretary of the department.
- 92.04 Land conservation board. (1) POWERS.** (a) *Hearings.* The board may hold public hearings in the performance of its functions.
- (b) *Delegation.* The board may delegate to its chairperson or to one or more of its members any of its powers or duties.
- (2) **DUTIES.** (a) *Advise secretary and department.* The board shall advise the secretary and department on matters relating to exercise of the department's authority under this chapter.
- (b) *Review erosion control plans and aid applications.* The board shall review soil erosion control plans prepared under s. 92.10, review aid applications submitted under s. 92.14 and make recommendations to the department on approval or disapproval of the plans or applications and on allocation of funding among the counties.
- (c) *Review annual and long-range plans.* The board shall review annual and long-range land conservation plans developed under s. 92.08 and make recommendations to the department on approval or disapproval of the plans.
- (d) *Advise the university of Wisconsin system.* The board shall advise the university of Wisconsin system annually on needed research and educational programs relating to soil and water conservation.
- (e) *Records.* The board shall keep a full and accurate record of all proceedings before it and all actions taken by it.
- (3) **RULES REVIEW.** (a) *Board review.* The board shall review all rules of the department relating to implementation of this chapter prior to promulgation.
- (b) *Submission for review.* Before submitting proposed rules to the legislative council staff under s. 227.029, the department shall submit the proposed rules to the board for comment. The board has 30 days to submit comments on the proposed rules to the department.
- (c) *Emergency rules.* If the department promulgates an emergency rule under s. 227.027, it shall provide a copy of the rule to the board prior to publication of the rule in the official state paper.
- (d) *Hearing.* The chairperson of the board, or his or her designee from the board, may cochair with the department any public hearing held by the department on proposed rules.
- (e) *Dissenting report.* The department shall submit to the board a copy of the report required under s. 227.018 (2) on proposed rules. The board may prepare a dissenting report stating its recommendations on the proposed rules. The board shall prepare any

dissenting report within 10 days from the date of receipt of the department's report. The department shall attach the dissenting report to the department's report, send them to the presiding officer of each house of the legislature and distribute copies under s. 227.018 (2). The department shall cause a statement to appear in the Wisconsin administrative register to the effect that a dissenting report of the board was submitted to the presiding officer of each house of the legislature.

(f) *No rule-making power.* The board has no rule-making authority on matters relating to soil and water conservation.

**92.05 Department.** (1) **CENTRAL AGENCY.** The department is the central agency of this state responsible for setting and implementing statewide soil and water conservation policies and administering the state's soil and water conservation programs.

(2) **Powers.** (a) *Accept gifts.* The department may accept contributions of money or gifts for soil and water conservation purposes.

(b) *Require reports.* The department may require reports from the counties as needed.

(c) *Contract with university of Wisconsin system.* The department may contract with the university of Wisconsin system for soil and water conservation educational and research services.

(3) **Duties.** (a) *Information.* The department shall keep county land conservation committee members generally informed of activities and experience useful to them.

(b) *Development; coordination.* The department shall assist in developing and coordinating the plans and programs of each county.

(c) *Rules.* The department shall promulgate rules governing implementation of this chapter and distribution of state or federal funds by the department to the counties. The department shall comply with the procedures under s. 92.04 (3) in promulgating these rules.

(d) *Advise university of Wisconsin system.* The department shall advise the university of Wisconsin system annually on developing research and educational programs relating to soil and water conservation.

(e) *Studies.* The department shall undertake studies and investigations and make and issue reports and recommendations with respect to state soil and water conservation program needs, including an annual report of its activities during the preceding year and an inventory of current land use and management practices in the state.

(f) *Nonpoint source water pollution abatement.* The department shall perform the duties specified for the department in the nonpoint source water pollution abatement program under s. 144.25 (5).

(g) *Watershed protection and flood prevention act.* The department has responsibility over programs provided by 16 USC 1001 to 1008 relating to the planning and carrying out of works of improvement for soil and water conservation and other purposes.

(h) *Model ordinances.* The department shall make available model ordinances for counties and municipalities concerning regulation and control of land conservation practices as authorized under s. 92.11.

(i) *Provide staff.* The department shall provide staff to assist the board in performing its statutory duties.

**92.06 Land conservation committees.** (1) **CREATION.** Each county board shall create a land conservation committee. The county board shall appoint at least 2 members of the county agriculture and extension education committee created under s. 59.87 (2) to the land conservation committee. The county board may appoint 2 or more persons who are not county board members to the land conservation committee. Each committee member shall serve for a term of 2 years or until a successor is appointed, whichever is longer.

Committee members shall be reimbursed for necessary expenses and shall be paid the same per diem as members of other county board committees. The county board may assign other programs and responsibilities to the committee.

(2) **DESIGNATED REPRESENTATIVES.** The county board shall designate a representative of each county committee with responsibilities related to natural resource management to serve as an adviser to the land conservation committee. The county board shall designate, at a minimum, representatives from any county zoning or land use, forestry, parks and solid waste committees. In addition, the land conservation committee may invite any state, federal or local agency with whom the county or committee has a memorandum of understanding to designate a representative to advise the land conservation committee.

(3) **CHAIRPERSON; OFFICERS.** The land conservation committee members shall designate a chairperson and such other officers as necessary, and may delegate any powers or duties to one or more committee members or to staff.

(4) **RULES.** The committee may adopt rules and regulations.

(5) **PUBLIC PARTICIPATION.** The committee shall actively solicit public participation in the planning and evaluation of soil and water conservation programs.

(6) **BUDGET.** The land conservation committee is responsible for the preparation of a budget reflecting the cost of the committee's operations and services. The chairperson of the committee may present the budget to the county board as a request for county funding.

**92.07 Land conservation committee; powers.** (1) **ADVISORY STANDARDS.** Each land conservation committee, with the approval of the county board, may develop and adopt advisory standards and specifications for management practices to control erosion, sedimentation and nonpoint source water pollution.

(2) **DISTRIBUTE FUNDS.** Each land conservation committee, with the approval of the county board, may distribute and allocate federal, state and county funds made available to the district for cost-sharing programs or other incentive programs for improvements and practices relating to soil and water conservation on private or public lands, and within the limits permitted under such programs, to determine the methods of allocating such funds.

(3) **REVIEW SUBDIVISION PLATS.** Each land conservation committee, with the approval of the county board, may review and object to subdivision plats prepared under ch. 236 with respect to provisions for controlling soil erosion, sedimentation and storm water runoff if authorized by county ordinance.

(4) **EDUCATIONAL AND OTHER PROGRAMS.** Each land conservation committee, with the approval of the county board, may encourage research and educational, informational and public service programs, advise the university of Wisconsin system on educational needs and assist the university of Wisconsin system and department in implementing educational programs under ss. 36.25 (7), 59.87 and 92.05.

(5) **PREVENT AND CONTROL MEASURES AND WORKS OF IMPROVEMENT.** Each land conservation committee, with the approval of the county board, may carry out preventive and control measures and works of improvement for flood prevention and for conservation, development, utilization and control of water within the county. These preventive and control measures and works of improvement may include, but are not limited to, changes in the use of land and use of engineering operations such as terraces, terrace outlets, desilting basins, floodwater retarding structures, floodways, dikes and ponds, methods of cultivation and the growing of vegetation. These preventive and control measures and works of improvement may be carried out on lands owned or controlled by this state or any of its agencies, with the cooperation of the agency administering and having

jurisdiction of the land, and on any other lands within the county upon obtaining the consent of the landowner or the necessary rights or interests in the land.

(6) ASSISTANCE. Each land conservation committee, with the approval of the county board, may cooperate with, enter into agreements with, or furnish financial, technical, planning or other assistance to any agency, governmental or otherwise, or any landowner within the incorporated or unincorporated parts of the county, in carrying out resource conservation operations and works of improvement for flood prevention or for the conservation, development, utilization and protection of soil and water resources within the county.

(7) OBTAIN PROPERTY. Each land conservation committee, with the approval of the county board, may obtain options upon and acquire, by purchase, exchange, lease, gift, grant, bequest, devise or any other method, any property or rights or interests in property or in water. A land conservation committee, with the approval of the county board, may acquire by eminent domain proceedings under ch. 32 any property or right or interests in property for watershed protection, flood prevention works of improvement, and fish and wildlife and recreational works of improvement. A land conservation committee, with the approval of the county board, may maintain, administer and improve any properties acquired. A land conservation committee, with the approval of the county board, may receive income from these properties and may expend this income in carrying out the purposes and provisions of this chapter. A land conservation committee, with the approval of the county board, may sell, lease or otherwise dispose of any of the committee's property or interests in property in furtherance of the purposes and the provisions of this chapter.

(8) MACHINERY AVAILABILITY. Each land conservation committee, with the approval of the county board, may make available, on terms it may prescribe, to landowners within the incorporated and unincorporated parts of the county, agricultural and engineering machinery and equipment, fertilizer, seeds and seedlings, and other material or equipment which will assist the landowners in carrying on operations upon their lands for the conservation of soil resources, for the prevention and control of soil erosion, for flood prevention, for the conservation, development and utilization of water, or the prevention of nonpoint source water pollution.

(9) STRUCTURES. Each land conservation committee, with the approval of the county board, may construct, improve, operate and maintain structures as may be necessary or convenient for the performance of any of the operations or activities authorized in this chapter.

(10) ADMINISTRATION OF PROJECTS OR PROGRAMS. Each land conservation committee, with the approval of the county board, may acquire, by purchase, lease or otherwise, and administer, any soil conservation, flood prevention, water management or nonpoint source water pollution abatement project or combinations of these projects, and participate in programs concerned with the conservation of natural resources located within the county undertaken by the United States or any of its agencies, or by this state or any of its agencies. A land conservation committee, with the approval of the county board, may administer, as agent of the United States or any of its agencies, or of this state or any of its agencies, any soil conservation, flood prevention, water management, water quality improvement, nonpoint source water pollution abatement, erosion control, erosion prevention project or resource conservation program within the county. A land conservation committee, with the approval of the county board, may act as agent for the United States, or any of its agencies, or for this state or any of its agencies, in connection with the acquisition, construction, operation or administration of any resource conservation program within the county. A land conservation committee, with the approval of the county board, may accept donations, gifts and contributions in money, services, materials or otherwise from any source and use or expend such moneys, services, materials or other contributions in carrying on its operations.

(11) ~~CONTRACTS; RULES.~~ Each land conservation committee, with the approval of the county board, may make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(12) ~~CONTRIBUTIONS; AGREEMENTS.~~ As a condition to extending any benefits under this chapter to, or the performance of work upon, any lands not owned or controlled by this state or any of its agencies, a land conservation committee, with the approval of the county board, may require contributions in money, services, materials or otherwise to any operations conferring the benefits, and may require landowners to enter into and perform such agreements or covenants respecting the use of land as will lead to conservation of soil and water resources.

(13) ~~ENTER UPON LANDS.~~ A land conservation committee may enter upon any lands within the county to examine the land and make surveys or plans for soil and water conservation without being liable for trespass in the reasonable performance of these duties. This authorization applies to the land conservation committee members and their agents.

**92.08 Land conservation plans.** (1) ~~PLANS GENERALLY.~~ Each land conservation committee may develop and amend comprehensive long-range and annual plans for the development, use, conservation and management of soil, water and related resources within the county. The long-range and annual plans shall specify in as much detail as is practicable the acts, procedures, performances and avoidances which are necessary or desirable to carry out the plans. A land conservation committee may invite public participation in the development and evaluation of the plans. A land conservation committee may publish the plans and information and bring them to the attention of landowners within the county.

(2) ~~LONG-RANGE PLANS.~~ Each land conservation committee shall prepare a long-range plan which shall include an inventory of natural resources in the county prepared in cooperation with other agencies, a compilation of current resource needs, projections of future resource requirements, priorities for various resource activities, projected timetables, descriptions of available alternatives and provisions for coordination with other natural resource programs developed by other governmental agencies.

(3) ~~ANNUAL PLANS.~~ Each land conservation committee shall prepare an annual plan which describes the programs, services, facilities, materials, working arrangements and estimated funds needed to carry out the parts of the long-range program that are of the highest priorities.

(4) ~~SUBMISSION OF PLANS AND REPORT.~~ Each land conservation committee shall submit, upon completion, its long-range plan, annual plan and an annual report to the board, department and the county board. The committee shall furnish copies of these documents to appropriate counties, municipalities, regional planning commissions, local units of government and state agencies. The committee shall make these documents available in convenient places for examination by the public.

(5) ~~PLAN REVIEW AND APPROVAL.~~ After review of the long-range and annual plan by the board, the department shall either approve each plan or disapprove it and submit recommended changes to the committee. The department may not approve a plan unless the plan is approved by the county board. The land conservation committee shall review the recommendations and resubmit the plan under sub. (4) until it is approved by the department.

**92.09 Land conservation committee staff.** The land conservation committee may employ a county soil and water conservation director and other staff, subject to the approval of the county board. The county soil and water conservation director is responsible, under the direction of the committee, for the execution of the powers granted to the land conservation committee.

**92.10 Erosion control program.** (1) ~~CREATION.~~ There is created a statewide erosion control program. The department, board and land conservation committees jointly shall develop and administer this program.

- (2) **PURPOSES.** The purposes of the erosion control program are to:
- (a) Conserve long-term soil productivity and protect the quality of related natural resources;
  - (b) Provide the necessary administrative framework and financial assistance to meet soil erosion control needs of the state;
  - (c) Focus program resources in areas of the state with the most severe soil erosion problems; and
  - (d) Assure adequate program evaluation to develop recommendations for improvements in erosion control programs.
- (3) **IMPLEMENTATION; DEPARTMENT DUTIES.** (a) *Data.* The department shall develop a systematic method of collecting and organizing statewide data related to soil erosion.
- (b) *Plan assistance.* The department shall assist land conservation committees in preparing the soil erosion control plans required under this section.
- (c) *Plan review.* The department shall review and approve or disapprove soil erosion control plans submitted by the land conservation committees under this section. The department may require land conservation committees to indicate specific projects to be funded under each plan and the related cost sharing rates. The department may not allocate any cost-sharing funds to a land conservation committee under this section unless its soil erosion control plan is approved.
- (d) *Allocate funds.* The department shall allocate funds appropriated under s. 20.115 (7) (c) to the land conservation committees to cover up to 75% of the cost of implementing conservation practices included in soil erosion control plans. The department shall give priority to those areas in which the most severe soil erosion problems are located.
- (e) *Report.* The department shall report biennially to the presiding officer of each house of the legislature and the governor on the progress of this program.
- (4) **IMPLEMENTATION; BOARD DUTIES.** (a) *Plan review.* The board shall review soil erosion control plans submitted by the land conservation committees and make recommendations to the department.
- (b) *Solicit comments.* The board shall solicit comments on land conservation committee plans from the agencies identified as advisers to the board under s. 15.135 (4).
- (5) **IMPLEMENTATION; COMMITTEE DUTIES.** (a) *Plan preparation.* Each land conservation committee shall prepare a soil erosion control plan which does all of the following:
1. Specifies maximum acceptable rates of soil erosion.
  2. Identifies where soil erosion standards are not being met.
  3. Identifies the land use changes or management practices which would bring each area of land into compliance with standards adopted by the land conservation committee.
  4. Specifies procedures to be used to assist landowners in controlling soil erosion.
  5. Establishes priorities for controlling soil erosion.
- (b) *Landowner notification.* Each land conservation committee shall notify landowners of the results of any determinations of soil erosion rates, and provide an opportunity for landowners to present information relating to the accuracy of the determinations during preparation of the plan.
- (c) *Hearings.* Each land conservation committee shall hold one or more public hearings on the plan.
- (d) *Plan submission.* Each land conservation committee shall submit the plan and any request for state funding of up to 75% of the cost of implementing conservation practices included in the plan to the board and department.



(e) *Plan adoption.* Each land conservation committee shall make the approved plan a part of the committee's long-range plan required under s. 92.08.

(f) *Local implementation.* Each land conservation committee shall administer local implementation of the approved plan. Local implementation includes, but is not limited to:

1. Providing technical assistance to landowners;
2. Selecting practices to be cost-shared; and
3. Assuring application and maintenance of cost-shared practices in accordance with the approved plan.

(G) **CONTRACTS WITH LANDOWNERS.** No cost-sharing funds may be distributed to a landowner unless he or she, by contract with the land conservation committee, agrees:

(a) To maintain the cost-shared practice for its normal expected life, to replace it with an equally effective soil erosion control practice or to repay the cost-sharing funds to the land conservation committee;

(b) To conduct all land management activities in substantial accordance with the committee's approved plan or to repay the cost-sharing funds to the land conservation committee; and

(c) To repay to the land conservation committee the cost-sharing funds if title to the land on which the cost-shared practice is installed is transferred, unless the subsequent landowner agrees to comply with the requirements of the committee's approved plan.

**92.11 Regulation of land conservation practices.** (1) **PROPOSED ORDINANCES.** To promote soil and water conservation or nonpoint source water pollution abatement, a land conservation committee may develop proposed county ordinances for the regulation of land conservation practices.

(2) **PRESENTATION; NOTICE; HEARING.** Any ordinance proposed by the land conservation committee under this section shall be presented to the county board together with a report on the need for the ordinance and its expected economic and environmental impact. Within 2 weeks of its receipt, the county board shall publish the proposed ordinance as a class 2 notice, under ch. 985, in a newspaper having general circulation throughout the county and make the report available for public inspection. The county board shall hold one or more public hearings on the proposed ordinance before taking final action. The county board shall act to approve, disapprove or amend the ordinance. The county board may not enact the ordinance until at least 3 months have passed since submission of the ordinance to the county board by the land conservation committee.

(3) **APPLICABILITY; CONTENTS.** (a) *Applicability.* An ordinance proposed by the land conservation committee under this section may be applicable throughout the county or to any part of a county, including both incorporated and unincorporated areas.

(b) *Engineering operations.* An ordinance proposed by the land conservation committee under this section may require the implementation of necessary engineering operations, including construction of terraces, terrace outlets, soil saving dams, sediment traps, dikes, ponds, diversions, channels and other necessary structures.

(c) *Specified methods of cultivation.* An ordinance proposed by the land conservation committee under this section may require use of specified methods of cultivation, including conservation tillage, contour cultivating, contour furrowing, lister furrowing, sowing, planting, strip-cropping, seeding, planting of lands with water conserving and erosion preventing plants, trees and grasses, forestation and reforestation.

(d) *Cropping and tillage practices.* An ordinance proposed by the land conservation committee under this section may specify cropping programs and tillage practices to be observed.

(e) *Retirement from cultivation.* An ordinance proposed by the land conservation committee under this section may require the retirement from cultivation of highly erosive areas or of areas on which erosion may not be adequately controlled if cultivated.

(f) *Protection of exposed land.* An ordinance proposed by the land conservation committee under this section may set methods for the protection of lands exposed by construction, land development, grading, filling, clearing, mineral extraction and similar activities. These regulations may limit the size of the area to be exposed and the length of time and season during which it may be exposed and require establishment of waterways, storm drains, debris basins, terraces and other structural and nonstructural methods to control erosion, runoff and sedimentation.

(g) *Other.* An ordinance proposed by the land conservation committee under this section may require other means, measures, operations and programs as may assist conservation of soil resources and prevent or control soil erosion, runoff and sedimentation.

(4) **BOARD OF ADJUSTMENT.** The county board shall provide for the appointment of a board of adjustment as provided in s. 59.99, in any county which adopts an ordinance under this section. Section 59.99 applies to the granting of special exceptions to the ordinance.

(5) **CONSTRUCTION.** Any ordinance enacted under this section shall be liberally construed in favor of the county. It shall be construed as setting minimum requirements for the purposes stated and not as a limitation on other powers granted the county board and land conservation committee.

(6) **ENFORCEMENT.** The county board shall by ordinance prescribe administrative procedures and provide personnel necessary for the enforcement of any ordinance enacted under this section. Any land conservation practices ordinance may be enforced through civil forfeiture or through issuance of an injunction by the circuit court at the suit of the county, land conservation committee or a landowner within the area affected by the ordinance. The court may award reasonable attorney fees to any plaintiff in a successful action for enforcement through injunction.

**92.12 Intergovernmental cooperation.** Land conservation committees, counties, cities, villages, towns and public agencies with natural resource responsibilities in the same or different counties may cooperate in carrying out the purposes of this chapter. If a problem of soil or water conservation is defined in part by drainage basin boundaries beyond a single county's borders or otherwise transcends these borders, the respective land conservation committees, counties, cities, villages, towns and public agencies with natural resource responsibilities may enter into mutually binding agreements and contracts containing, but not limited to, provisions for mutually enforced and administered regulatory ordinances and cost-sharing distribution arrangements.

**92.13 State and local agencies to cooperate.** Agencies of the state having jurisdiction over, or charged with the administration of any state-owned lands, and any county or other governmental subdivision of the state having jurisdiction over, or charged with the administration of any county-owned or other publicly owned lands, shall cooperate to the fullest extent with the land conservation committee in carrying out programs under this chapter. The land conservation committee may enter and perform work upon these publicly owned lands. The provisions of land conservation practices ordinances enacted under s. 92.11 are applicable to these publicly owned lands, and shall be in all respects observed by the agencies administering the lands.

**92.14 State aids for conservation projects.** A land conservation committee may, on or before the date established by the department, submit to the board and department an application for state aid for one or more conservation projects. The application shall set forth the purpose, estimated cost, work to be done and any other data that the department requires. After receiving recommendations of the board on the applications, the department shall approve or disapprove each application and allocate the funds appropriated

~~under s. 20.115 (7) (b) to the land conservation committees with approved applications. No allocation may exceed 75 % of the cost of the projects proposed in an application. The state aid may be used for personnel and associated costs, for materials and associated costs necessary in the planning, application, repair or maintenance of conservation measures, for equipment and for educational materials. The land conservation committee shall keep the department informed of the status of work on funded projects.~~

Vetoed  
in Part

SECTION 1271m. 93.07 (3) of the statutes is amended to read:

93.07 (3) PROMOTION OF AGRICULTURE. To promote the interests of agriculture, dairying, horticulture, manufacturing, commercial fishing and the domestic arts and to advertise Wisconsin and its dairy, food and agricultural products by conducting campaigns of education throughout the United States and in foreign markets. Such campaigns shall include the distribution of educational and advertising material concerning Wisconsin and its plant, animal, food and dairy products. The department shall coordinate efforts by the state to advertise and promote agricultural products of this state, with the department of development where appropriate. The department shall submit its request and plan for market development program expenditures for each biennium with its biennial budget request. The plan shall include the identification and priority of expenditures for each market development program activity.

Vetoed  
in Part

~~SECTION 1271s. 93.07 (9) of the statutes is created to read:~~

~~93.07 (9) ANIMAL HEALTH; LABORATORY. To maintain a regional animal health laboratory in Barron county.~~

SECTION 1272d. 94.02 (3) of the statutes is amended to read:

94.02 (3) If a serious pest outbreak constituting a significant threat to agricultural production or plant life occurs, and cannot be adequately controlled by individual property owners or local units of government in any area of this state, the department, ~~with the approval of the governor,~~ may petition the joint committee on finance ~~acting under s. 13.101~~ for emergency funds with which to conduct needed control work independently or on a cooperative basis with the federal or local units of government.

SECTION 1273a. 95.001 of the statutes is amended to read:

**95.001 (title) Definitions.** As used in this chapter, ~~“official:~~

(1) “Official vaccinate” means any female bovine animal officially reported to the department as having been vaccinated by an approved veterinarian at an age and in accordance with the procedures the department prescribes and which was properly tattooed at the time of vaccination as required by law or rules of the department.

SECTION 1273b. 95.001 (2) of the statutes is created to read:

95.001 (2) “Net salvage” means the salvage value of an animal plus any federal indemnity paid for the animal.

SECTION 1273c. 95.26 (2) of the statutes is amended to read:

95.26 (2) All milk and cream received at every dairy plant shall be tested at not more than 6-month intervals by the B.R.T. test, and brucellosis tests shall be applied promptly to cattle when the milk or cream therefrom discloses a positive reaction to the B.R.T. test or to cattle and American bison when other indications of possible infection are disclosed. All cattle and American bison, except steers and spayed heifers, shall be subject to the brucellosis test, but official vaccinates not older than the maximum age prescribed by rules of the department need not be tested except when deemed necessary by the department or the attending veterinarian. Brucellosis tests and official vaccination provided for in this section shall be performed by a veterinarian approved by the department. When brucellosis tests are not conducted by any such veterinarian within 15 days of the date

notice to test is mailed to the cattle or American bison owner, the department shall conduct such tests. Except where compensated by the federal government, approved veterinarians performing testing and vaccination under this section shall be paid by the state at uniform rates established by the department. Blood samples drawn for the brucellosis test shall be submitted to the department promptly for laboratory examination.

SECTION 1273cd. 95.26 (3) of the statutes is amended to read:

95.26 (3) If the existence of brucellosis within the state results in the termination of its status as a certified brucellosis-free area by the U.S. department of agriculture, the department shall request the release of funds by the joint committee on finance ~~acting under s. 13.101~~ from the appropriation under s. 20.865 (4) (a) to pay for official vaccination, as provided in s. 95.46 (2), of all female calves located within any county where the incidence of brucellosis disqualifies it for such designation.

SECTION 1273cm. 95.26 (4) and (5) of the statutes are amended to read:

95.26 (4) Cattle and American bison which are classified as "reactors" to the brucellosis test (whether or not conducted pursuant to this section) shall be slaughtered. A report of any test disclosing reactors shall be mailed to the owner thereof. The reactors shall be identified by a reactor tag and permanent mark as prescribed by the department. The owner shall effect slaughter of the reactors within 15 days of the date they are so identified, except that the department, for cause shown, may extend such time an additional 15 days. In the event the owner of reactors shall fail to comply with this subsection within the time limited, the department shall cause the removal and slaughter of such reactors. No indemnity shall be paid on any reactors disposed of by the department. No milk shall be sold from any reactors or from any herd of cattle in which reactors are kept contrary to the provisions of this section.

(5) When reactors to any brucellosis test are disclosed in a herd of cattle or American bison the department shall quarantine the entire herd by serving written notice thereof, either personally or by mail, on the owner or person in charge, but such quarantine shall not be imposed if the department, upon the basis of the clinical history of the herd with respect to brucellosis and the recommendation of the attending veterinarian, determines it is improbable that the cattle or American bison will contract brucellosis. No cattle or American bison subject to the quarantine shall be removed from the premises where the cattle or American bison are quarantined, except upon written permit of the department. The quarantine shall remain in full force until removed by the department. Such retests shall be conducted as the department finds necessary to eliminate all reactors or other evidence of infection in the herd.

SECTION 1273d. 95.31 (4) of the statutes is amended to read:

95.31 (4) In the event of a major or serious outbreak of dangerous diseases affecting the health of domestic animals requiring special control measures, the department may, ~~under s. 95.17 or with the approval of the governor, petition request~~ the joint committee on finance ~~for special emergency appropriations to release funds appropriated under s. 20.115 (2) (b)~~ as needed to conduct emergency control programs independently or in cooperation with federal or local units of government and to pay indemnities on animals condemned and slaughtered or destroyed under the emergency control programs. For all indemnities paid under this subsection, the state shall pay two-thirds of the difference between the net salvage and the appraised value of an animal, except that no payment may exceed the maximum amount prescribed by the department for the species type of the destroyed animal.

SECTION 1273e. 95.32 (2) of the statutes is repealed.

SECTION 1273f. 95.35 of the statutes is repealed and recreated to read:

**95.35 Scrapie eradication: indemnities.** (1) In the eradication and control of scrapie, the department may, whenever such action is necessary to prevent or reduce the spread of the disease, condemn and order the destruction of any sheep or goats which in the opinion of the department are infected with or have been exposed to scrapie and pay indemnities to the owner of the animals under this section.

(2) With the consent of the owner, the department may condemn sheep or goats reasonably suspected of being infected with scrapie or of having been exposed to scrapie where any danger of infection or reinfection exists.

(3) The department may enter into cooperative agreements with the federal government or any department or other agency for the control and eradication of scrapie in this state, including the sharing of payments for indemnities authorized by this section.

(4) The department shall appraise all animals condemned and destroyed under this section according to current market values and the state shall pay the owner two-thirds of the difference between the appraised value and any indemnity received from the federal government, but such payment may not exceed \$150 for an animal. No payment may be made under this section unless the owner has received, or will receive, a federal indemnity for the destroyed animal.

(5) The owner of any sheep or goats affected by this section may appeal from any order or appraisal made under this section by filing with the department a request for a hearing under s. 93.18 within 5 days after receipt of notice of the order or appraisal.

(6) Every person in control of premises on which sheep or goats have died of scrapie shall promptly bury or dispose of the carcasses in accordance with rules prescribed by the department.

SECTION 1273g. 95.43 (1) of the statutes is amended to read:

95.43 (1) The brucellosis test shall be applied to cattle and American bison only by approved veterinarians. Any veterinarian who fails to comply with the laws or regulations of the department relating to disease control may be denied such approval.

Vetoed in Part ~~SECTION 1273h. 95.48 (1) (f) of the statutes is created to read:  
95.48 (1) (f) On American bison.~~

SECTION 1274. 98.25 of the statutes is created to read:

**98.25 Vehicle scales: annual testing.** (1) The owner or operator of a scale with a weighing capacity of 5,000 pounds or more used for the commercial weighing of commodities shall cause the scales to be tested and inspected annually for accuracy by an independent scale testing or service company in accordance with specifications, tolerances, standards and procedures established by the national bureau of standards and the department for the testing and examination of scales, using test weights approved by the department. The annual tests and inspections shall be at the expense of the owner or operator.

(2) A scale testing or service company conducting a test under sub. (1) shall, at the time of testing and inspection, promptly furnish to the owner or operator of the scale a report showing the results of the test and inspection with an additional copy for the department. The owner and operator of a scale which is found to be inaccurate at the time of testing shall immediately withdraw the scale from further use until necessary corrections, adjustments or repairs are made and the scale is determined to be accurate by the scale testing or service company. A copy of the report prepared by the scale testing or service company shall be filed with the department by the owner or operator of the scale within 15 days after the test and inspection has been completed. The department shall maintain a list open for public inspection of all scales tested and found to be accurate on the annual test.

(3) No person may falsify a test or determination of the accuracy of a vehicle scale tested under sub. (1) or file with the department a false report of a test of a vehicle scale under sub. (1).

(4) This section does not apply to a railway scale used exclusively for the weighing of commodities on railroad track vehicles.

~~SECTION 1274g. 100.21 (5) of the statutes is created to read:~~

~~100.21 (5) PRODUCT TESTING. (a) From the appropriation under s. 20.115 (1) (cm), the department shall establish an energy efficiency testing laboratory.~~

~~(b) As the department determines necessary to protect the public health and safety, the department shall test insulation offered for sale in this state to determine its "R" value, safety and flammability. The department shall test other products, including consumer products as defined in s. 100.42 (1) (c), to determine compliance with this section and ss. 100.18, 100.20 and 100.42. The department may contract with any person to test any product, subject to departmental supervision.~~

~~(c) The department may test the energy efficiency of products available for sale elsewhere and may charge a reasonable fee to finance the testing.~~

\*SECTION 1274gm. 100.215 of the statutes is created to read:

**100.215 Unfair trade practices in the insulation industry.** The department shall establish rules regulating home insulation trade practices. The rules shall include, without limitation because of enumeration:

- (1) Standards for the type and amount of insulation to be installed.
- (2) Standards for measuring compliance with the contract and warranty provisions protecting a consumer.
- (3) Standards for safe installation of insulation and provision for the correction of unsafe installations.

~~SECTION 1274gr. 100.42 (6) of the statutes is created to read:~~

~~100.42 (6) TESTING PRODUCTS. The department may test consumer products in the laboratory created under s. 100.21 (5) to ensure compliance with this section.~~

SECTION 1274gra. 101.227 of the statutes is created to read:

**101.227 Youth initiatives program.** (1) A review committee consisting of 6 persons shall review proposals for grants under s. 20.445 (5) (a) and shall select the recipients of those grants.

(2) The superintendent of public instruction, the director of the board of vocational, technical and adult education and the executive director of the governor's employment and training office, or their designees, shall be members of the review committee. Each other member of the review committee shall be chosen by a majority of the 3 statutorily required members.

~~(3) Any request for proposal funded under s. 20.445 (5) (a) which is approved by the review committee shall be submitted to the standing committee dealing with education in each house of the legislature, as determined by the presiding officer thereof, for review and general recommendations by that standing committee.~~

SECTION 1274m. 101.57 (title) of the statutes is amended to read:

**101.57 (title) Renewable energy resource system incentive.**

SECTION 1282g. 101.57 (1d) of the statutes is repealed.

~~SECTION 1282gm. 101.57 (1m) (a) 2 of the statutes is amended to read:~~

~~101.57 (1m) (a) 2. For 1982 and 1983 to 1985, 18%.~~

~~SECTION 1282gp. 101.57 (1m) (a) 3 of the statutes is repealed.~~

~~SECTION 1282gr. 101.57 (1m) (b) 2 of the statutes is amended to read:~~

~~101.57 (1m) (b) 2. For 1982 and 1983 to 1985, 12%.~~

~~SECTION 1282gw. 101.57 (1m) (b) 3 of the statutes is repealed.~~

Vetoed  
in Part

Vetoed  
in Part

Vetoed  
in Part

Vetoed  
in Part

SECTION 1282m. 101.57 (1n) of the statutes is amended to read:

101.57 (1n) For taxable years 1980 to 1985 any corporation or cooperative as defined in s. 185.01 (1) or (2) owning a renewable energy resource system ~~or a cogeneration facility~~ installed on the corporation's or cooperative's property in this state, or installed on residential property in this state under a leasing agreement between the corporation or cooperative as defined in s. 185.01 (1) or (2) and the owner of the residential property, may apply for a refund of an amount equal to 10% of the first \$1,000,000 of the total cost of the design, construction, equipment and, except for leased systems, installation of the renewable energy resource system ~~or cogeneration facility~~ if the system ~~or facility~~ is certified under sub. (4), if the installation of the system ~~or facility~~ is completed during the year for which the refund is claimed and, in the case of a corporation, if the corporation is subject to the tax imposed upon or measured by the corporation's net income under s. 71.01 (1) and (2). ~~Only a corporation having its commercial domicile in this state or a cooperative incorporated under ch. 185 may apply for a refund under this subsection for the design, construction, equipment and, except for leased systems, installation of an alcohol fuel production system.~~

SECTION 1286b. 101.57 (4) (a) and (b) of the statutes are amended to read:

101.57 (4) (a) The renewable energy resource system ~~or cogeneration facility~~ is a specified model which has been certified by the department as meeting the standards specified in sub. (5); or

(b) Based on design calculations or other appropriate documentation, specified by the department by rule, and submitted by the owner of a renewable energy resource system ~~or cogeneration facility~~, the system has been certified by the department as meeting the standards specified in sub. (5).

SECTION 1286d. 101.57 (5) (intro.) and (b) to (d) of the statutes are amended to read:

101.57 (5) (intro.) The department, in consultation with the department of administration, shall establish by rule performance standards for renewable energy resource systems ~~and performance and minimum conversion efficiency standards for cogeneration facilities~~. The performance standards shall be established to:

(b) Conform, where feasible, with national performance standards promulgated or recognized by the federal government for renewable energy resource systems ~~or cogeneration facilities~~.

(c) Produce present value benefits in terms of saved energy costs in an amount not less than the total present value cost of designing, constructing and installing the renewable energy resource system ~~or cogeneration facility~~ within 25 years after installation of the system ~~or facility~~ and not produce present value benefits in terms of saved energy costs in an amount greater than the total present value cost of designing, constructing and installing the renewable energy resource system ~~or cogeneration facility~~ within 4 years after installation of the system ~~or facility~~.

(d) Not hamper individual development of innovative renewable energy resource systems ~~or cogeneration facilities~~.

SECTION 1286f. 101.57 (5g) of the statutes is amended to read:

101.57 (5g) The department shall inspect selected renewable energy resource systems ~~or cogeneration facilities~~ which have been installed and certified for purposes of this section or s. 71.04 (16) or 71.09 (12) to ensure compliance with the standards established under sub. (5).

SECTION 1286h. 101.57 (5r) of the statutes is amended to read:

101.57 (5r) Any person who intentionally files fraudulent information with the department for purposes of obtaining the certification of a renewable energy resource system ~~or a cogeneration facility~~ as meeting the standards established under sub. (5) for

purposes of this section or s. 71.04 (16) or 71.09 (12) is subject to the penalties under s. 71.11 (42) or (43).

SECTION 1286i. 101.57 (6) of the statutes is amended to read:

101.57 (6) If more than one person owns a renewable energy resource system ~~or cogeneration facility~~ eligible for the refund under this section, such persons may divide the refund among themselves as desired. If a business partnership owns such a system, each partner may claim the refund under sub. (1) for up to \$10,000 of costs per partner, but the total claimed by the partnership may not exceed \$50,000 of costs per system. If a refund is claimed for a renewable energy resource system ~~or cogeneration facility~~ under this section, subsequent owners of the system ~~or facility~~ are not eligible for a refund under this section for the same system ~~or facility~~.

SECTION 1286k. 101.57 (8) (a) of the statutes is amended to read:

101.57 (8) (a) "Renewable energy resource system" means a solar energy system, a waste conversion energy system, or a wind energy system ~~or an alcohol fuel production system~~, but does not include any equipment which would be present as part of a conventional energy system or as part of a system primarily used to heat a swimming pool.

SECTION 1286m. 101.57 (8) (dm) of the statutes is repealed.

SECTION 1286p. 101.57 (8) (e) of the statutes is repealed.

SECTION 1286r. 101.57 (8) (f) of the statutes is repealed.

SECTION 1286s. 101.57 (8) (g) of the statutes is repealed.

SECTION 1286u. 101.57 (9) of the statutes is amended to read:

101.57 (9) In cooperation with the department of administration and the university of Wisconsin system-extension, the department shall develop materials to inform the public of the refunds for renewable energy resource systems ~~and cogeneration facilities~~ available under this section. Such material shall include information on the calculation of the life-cycle costs of renewable energy resource systems ~~and cogeneration facilities~~.

SECTION 1286v. 101.57 (10) of the statutes is amended to read:

101.57 (10) The department shall annually prepare a summary of the number of claims under this section and s. 71.04 (16), including but not limited to information concerning the costs, size and type of each renewable energy resource system ~~or cogeneration facility~~ for which a refund or deduction is claimed.

SECTION 1286w. 101.57 (12) of the statutes is amended to read:

101.57 (12) Whenever an audit of any claim filed under this section indicates that an incorrect claim was filed, the department shall make a determination of the correct amount and notify the claimant of the determination and the reasons therefor. Notice of the determination shall be given to the claimant within 4 years of the last day prescribed by law for filing the claim. If the claim has been paid, the refund shall be reduced or canceled, and the proper portion of any amount paid shall be certified to the department of revenue and recovered by assessment as income taxes are assessed and the assessment shall bear interest at ~~9%~~ 12% per year from the due date of the claim. Any person feeling aggrieved by the determination may, within 30 days after receipt, petition the department for redetermination. The department shall make a redetermination on the petition within 6 months after it is filed and notify the claimant. If no timely petition for redetermination is filed with the department, its determination shall be final and conclusive.

SECTION 1287. 101.58 (title) of the statutes is created to read:

**101.58 (title) Fire dues distribution.**

SECTION 1288. 101.63 (3) of the statutes is amended to read:

101.63 (3) Contract to provide inspection services, at municipal expense, to any municipality which requires such service under s. 101.65 or 101.651.



SECTION 1289. 101.65 (intro.) and (1) (a) of the statutes are amended to read:

**101.65 Municipal authority.** (intro.) Cities Except as provided by s. 101.651, cities, villages, towns and counties:

(1) (a) Exercise jurisdiction over the construction and inspection of new dwellings by passage of ordinances, provided such ordinances meet the requirements of the one- and 2-family dwelling code adopted in accordance with this subchapter. A Except as provided by s. 101.651, a county ordinance shall apply in any city, village or town which has not enacted such ordinance.

SECTION 1290. 101.65 (4) of the statutes is repealed.

SECTION 1291. 101.651 of the statutes is created to read:

**101.651 Certain municipalities excepted.** (1) In this section, "municipality" means a city, village or town with a population of 2,500 or less.

(2) Except as provided under sub. (6), a municipality is exempt from:

(a) The requirements under s. 101.65 (2) and (3).

(b) Any rule adopted under s. 101.63 (1) regarding suspension or revocation of standard building permits.

(3) The department or a county may not enforce this subchapter or an ordinance adopted under s. 101.65 (1) (a) or provide inspection services in a municipality unless requested to do so by a person with respect to a particular dwelling or by the municipality. A request by a person or a municipality with respect to a particular dwelling does not give the department or a county authority with respect to any other dwelling. Costs shall be collected under s. 101.65 (1) (c) or ss. 101.63 (9) and 101.65 (2) from the person or municipality making the request.

(4) Municipalities shall furnish statistical data relating to housing starts to the department as requested by the department.

(5) This section does not affect the applicability of rules or an ordinance adopted under this subchapter to builders, designers and owners of dwellings located in a municipality.

(6) Any dwelling not inspected under s. 101.65 shall comply with the rules adopted under s. 101.63 (1) which take into account the conservation of energy in construction and maintenance of dwellings and the costs of specific code provisions to home buyers in relationship to the benefits derived from the provisions. ~~The department shall require that the plans for any such dwelling, prior to any construction of the dwelling, be certified as complying with the rules. The certification shall be on a form prescribed by the department and shall be filed with the department under oath. The department shall conduct a random inspection of at least 10% of all dwellings certified under this paragraph.~~

Vetoed  
in Part

SECTION 1293. 101.73 (3) of the statutes is amended to read:

101.73 (3) Provide for examination of plans and specifications and in-plant inspections when contracted for by the manufacturer under s. 101.75 (1) and shall contract to provide on-site inspection services for the installation of manufactured buildings for dwellings, at municipal expense, for any municipality which requires such service under s. 101.76 or 101.761.

SECTION 1294. 101.76 (intro.) and (1) (a) of the statutes are amended to read:

**101.76 Municipal authority.** (intro.) Cities Except as provided by s. 101.761, cities, villages, towns and counties:

(1) (a) With the approval of the department, exercise jurisdiction over the installation of manufactured buildings for dwellings by passage of ordinances, provided such ordinances are in strict conformance with this subchapter and the on-site inspection is performed by persons certified by the department. A Except as provided by s. 101.761, a

county ordinance shall apply in any city, village or town which has not enacted such ordinance.

SECTION 1295. 101.761 of the statutes is created to read:

**101.761 Certain municipalities excepted.** (1) In this section, "municipality" means a city, village or town with a population of 2,500 or less.

(2) Except as provided under sub. (6), a municipality is exempt from:

(a) The requirements under s. 101.76 (2) and (3).

(b) Any rule adopted under s. 101.73 regarding suspension or revocation of standard building permits.

(3) The department or a county may not enforce this subchapter or an ordinance adopted under s. 101.76 (1) (a) or provide inspection services in a municipality unless requested to do so by a person with respect to a particular manufactured building or by the municipality. A request by a person or a municipality with respect to particular manufactured building does not give the department or a county authority with respect to any other manufactured building. Costs shall be collected under s. 101.76 (1) (c) or ss. 101.73 (12) and 101.76 (2) from the person or municipality making the request.

(4) Municipalities shall furnish statistical data relating to housing starts to the department as requested by the department.

(5) This section does not affect the applicability of or ordinances adopted under this subchapter to manufacturers, builders and owners of manufactured buildings located in a municipality.

(6) Any dwelling not inspected under s. 101.76 shall comply with the rules adopted under s. 101.73 (1) which take into account the conservation of energy in construction and maintenance of dwellings and the costs of specific code provisions to home buyers in relationship to the benefits derived from the provisions. ~~The department shall require that the plans for any such dwelling, prior to any construction of the dwelling, be certified as complying with the rules. The certification shall be on a form prescribed by the department and shall be filed with the department under oath. The department shall conduct a random inspection of at least 10% of all dwellings certified under this paragraph.~~ Vetoed in Part

SECTION 1296. 102.08 of the statutes is created to read:

**102.08 Administration for state employees.** The department of administration has responsibility for the timely delivery of benefits payable under this chapter to employes of the state and their dependents and other functions of the state as an employer under this chapter. The department of administration may delegate this authority to employing departments and agencies and require such reports as it deems necessary to accomplish this purpose. The department of administration or its delegated authorities shall file with the department of industry, labor and human relations the reports that are required of all employers. The department of industry, labor and human relations shall monitor the delivery of benefits to state employes and their dependents and shall consult with and advise the department of administration in the manner and at the times necessary to ensure prompt and proper delivery.

SECTION 1297. 102.27 of the statutes is renumbered 102.27 (1) and amended to read:

102.27 (1) ~~No~~ Except as provided in sub. (2), no claim for compensation shall be assignable, but this provision shall not affect the survival thereof; nor shall any claim for compensation, or compensation awarded, or paid, be taken for the debts of the party entitled thereto.

SECTION 1298. 102.27 (2) of the statutes is created to read:

102.27 (2) A benefit under this chapter is assignable under ss. 52.055 (2m) and 767.265 (1).

SECTION 1299. 102.42 (7) of the statutes is repealed.

SECTION 1300. 102.42 (8) of the statutes is amended to read:

102.42 (8) AWARD TO STATE EMPLOYEE. Whenever an award is made by the department in behalf of a state employe, ~~the department of industry, labor and human relations shall file duplicate copies of the award shall be filed with the employing constitutional office, department or independent agency of administration.~~ Upon receipt of the copies of the awards award, the constitutional officer or head of the department or independent agency of administration shall promptly issue a voucher in payment of the award from the proper state fund and appropriation under s. 20.865 (1) (dm), and shall transmit one copy of the voucher and one copy of the award to the ~~department of administration of-~~ ficer, department or agency by whom the affected employe is employed.

SECTION 1302. 102.64 (1) and (2) of the statutes are amended to read:

102.64 (1) A Upon request of the department of administration, a representative of the department of justice ~~designated by the attorney general~~ shall represent the state in all cases involving payment into or out of the state treasury under s. 20.865 (1) ~~(d), 102.49, 102.59 or 102.66~~ (dm) or 102.29. The department of justice, after giving notice to the department of administration, may compromise the amount of such payments but such compromises shall be subject to review by the department of industry, labor and human relations. If the spouse of the deceased employe compromises his or her claim for a primary death benefit, the claim of the children of such employe under s. 102.49 shall be compromised on the same proportional basis, subject to approval by the department. If the persons entitled to compensation on the basis of total dependency under s. 102.51 (1) compromise their claim, payments under s. 102.49 (5) (a) shall be compromised on the same proportional basis.

(2) ~~In all~~ Upon request of the department of administration, the attorney general shall appear on behalf of the state in proceedings upon claims for compensation against the state, ~~the attorney general may appear on behalf of the state.~~ The department of justice shall represent the interests of the state in proceedings under s. 102.49, 102.59 or 102.66. ~~The department of justice may compromise claims in such proceedings, but the compromises are subject to review by the department of industry, labor and human relations.~~

SECTION 1303. 102.75 (1) and (2) of the statutes are amended to read:

102.75 (1) The department shall assess upon and collect from each licensed worker's compensation insurance carrier and from each employer exempted under s. 102.28 (2), by special order or by rule, the proportion of total costs and expenses ~~for administering incurred by the department and the commission in the administration of~~ this chapter for the current fiscal year plus any deficiencies in collections and anticipated costs from the previous fiscal year, that the total indemnity paid or payable under this chapter by each such carrier and exempt employer in worker's compensation cases initially closed during the preceding calendar year, other than for increased, double or treble compensation bore to the total indemnity paid in cases closed the previous calendar year under this chapter by all carriers and exempt employers other than for increased, double or treble compensation. ~~The commission shall annually certify its costs and expenses for worker's compensation activities to the department at such time as the secretary requires.~~

(2) The department shall require that payments for costs and expenses ~~of the fiscal year beginning July 1, 1975, and for each fiscal year thereafter,~~ shall be made on such dates as the department prescribes, by each licensed worker's compensation insurance carrier and employer exempted under s. 102.28 (2). Each such payment shall be a sum equal to a proportionate share of the annual costs and expenses assessed upon each carrier and employer as estimated by the department. ~~The balance of assessments on hand at the end of each fiscal year shall be credited and applied toward the costs and expenses incurred under this section during the subsequent fiscal year. Carriers and employers whose~~

~~estimated annual assessment for the fiscal year is less than \$2,500 shall make a single payment of the estimated annual assessment on or before December 31 of the fiscal year in lieu of the proportion payments.~~

SECTION 1303m. 102.75 (3) of the statutes is amended to read:

102.75 (3) The department may not assess the payments under this section for any year that the assessment is not approved by the joint committee on finance. ~~Requests for the approval of an assessment shall be considered as are requests for supplemental appropriations under s. 13.101 (5) and (6).~~

SECTION 1304. 102.75 (4) of the statutes is created to read:

102.75 (4) The department shall credit all payments received under this section to the appropriations made under s. 20.445 (1) (ha) and (2) (ha).

SECTION 1317. 108.13 (1) of the statutes is renumbered 108.13 (1) (a) and amended to read:

108.13 (1) (a) ~~No~~ Except as provided in par. (b), no claim for benefit under this chapter nor any interest in any unemployment benefit fund or reserve maintained under this chapter shall be assignable before payment, but this provision shall not affect the survival thereof; nor shall any claim for benefit awarded, adjudged or paid, nor any interest in any such unemployment benefit fund or reserve, be subject to be taken for the debts of the party entitled thereto.

SECTION 1318. 108.13 (1) (b) of the statutes is created to read:

108.13 (1) (b) A benefit under this chapter is assignable under ss. 52.055 (2m) and 767.265 (1).

SECTION 1320. 109.03 (5) of the statutes is amended to read:

109.03 (5) ENFORCEMENT; SUNDAYS AND HOLIDAYS. Except as provided in sub. (1), no employer may by special contract with employes or by any other means secure exemption from this section. Each employe shall have a right of action against any employer for the full amount of the employe's wages due on each regular pay day as provided in this section, in any court of competent jurisdiction. ~~Whenever the regular payments cover wages earned to a date more than 8 days prior to the day of payment if the day fixed for the monthly payment falls on a Sunday or holiday, payment shall be made on the previous business day.~~

SECTION 1321c. 110.20 (3) (c) of the statutes is created to read:

110.20 (3) (c) The inspection and maintenance program may be designed to provide information on the fuel efficiency of nonexempt vehicles.

SECTION 1321cm. 110.20 (8) of the statutes is amended to read:

110.20 (8) CONTRACTORS. (a) The emissions inspections of nonfleet vehicles shall be performed by persons under contract with the department. The contract shall require the contractor to operate inspection stations for a minimum of 5 years and shall provide for equitable compensation to the contractor if the operation of an inspection and maintenance program within any county is terminated within 5 years after the inspection and maintenance program in the county is begun. No officer, director or employe of the contractor may be an employe of the department or a person engaged in the business of selling, maintaining or repairing motor vehicles or of selling motor vehicle replacement or repair parts. The department shall require the contractor to operate a sufficient number of inspection stations, permanent or mobile, to ensure public convenience in those counties identified under sub. (5).

(d) No inspection station may be established within 0.5 mile of an air monitoring station which reported a violation during the period from 1976 to 1979 of the carbon monoxide primary national ambient air quality standard as defined by the department of natural resources.

(e) The contractor shall collect, maintain and report data as the department requires. The department shall reserve the right to enter and inspect test station premises, equipment and records at all reasonable times in the discharge of its administrative duties. The department of revenue shall audit the records of the contractor annually and shall provide for the publication of the results of audits conducted under this subsection paragraph in the official state newspaper.

SECTION 1321d. 110.20 (8) (b) and (c) of the statutes are created to read:

110.20 (8) (b) The department may require the contractor to test the fuel efficiency of nonfleet vehicles during emission inspections.

(c) The department may delegate to the contractor specified registration functions of the department under ch. 341. The department may direct the contractor to perform specified registration functions under ch. 341.

SECTION 1321e. 110.20 (9) (a) of the statutes is amended to read:

110.20 (9) (a) Specify procedures for the inspection of vehicles, including the method of measuring emissions, the types of equipment which may be used in performing the measurements and the calibration requirements for the equipment. The procedures and methods shall be capable of being correlated with the federal test procedures established under section 7525 ~~(a) (1)~~ of the federal act.

SECTION 1321f. 110.20 (11) (a) and (13) (a) of the statutes are amended to read:

110.20 (11) (a) An idle mode inspection shall be performed to determine compliance with applicable emission limitations for carbon monoxide and hydrocarbons. In addition, the department shall require the contractor to perform a loaded mode inspection if the motor vehicle is suitable for loaded mode inspection as determined by the department unless the person presenting the vehicle for inspection refuses the loaded mode inspection. The department may require the contractor to provide information on the fuel efficiency of the motor vehicle as part of the loaded mode inspection.

(13) (a) If the estimated cost of repairs and adjustments necessary to bring a vehicle inspected under sub. (6) into compliance with all applicable emissions limitations exceeds the repair cost limit or the model year of the vehicle is more than 10 years prior to the year of inspection, the department shall issue a waiver of compliance, valid for one year, if the owner presents satisfactory evidence to the department that a low-emissions adjustment under par. (d) has been performed on the vehicle within 90 days prior to ~~application for renewal of annual registration.~~ The department shall issue a waiver of compliance valid for one year without requiring a low-emissions adjustment under par. (d) if the owner presents satisfactory evidence to the department that the actual costs of repairs performed on a vehicle in accordance with an inspection report under sub. (11) (b) exceeded the repair cost limit.

SECTION 1321L. 111.09 (title) of the statutes is amended to read:

**111.09 (title) Rules, orders, transcripts and fees.**

SECTION 1321m. 111.09 of the statutes is renumbered 111.09 (1).

SECTION 1321n. 111.09 (2) of the statutes is created to read:

111.09 (2) The commission shall assess and collect a filing fee of \$25 from the party or parties filing a complaint alleging that an unfair labor practice has been committed under s. 111.06. The commission shall assess and collect a filing fee of \$25 from the party or parties filing a request that the commission act as an arbitrator to resolve a dispute involving the interpretation or application of a collective bargaining agreement under s. 111.10. If such a request concerns issues arising as a result of more than one unrelated event or occurrence, each such separate event or occurrence shall be treated as a separate request. Fees required to be paid under this subsection shall be paid at the time of filing the complaint or the request for arbitration. A complaint or request for arbitration is not filed

until the date such fee or fees are paid. Fees collected under this subsection shall be deposited as general purpose revenue—earned.

SECTION 1322e. 111.70 (1) (d) and (4) (c) 4 of the statutes are amended to read:

111.70 (1) (d). “Collective bargaining” means the performance of the mutual obligation of a municipal employer, through its officers and agents, and the representatives of its municipal employes, to meet and confer at reasonable times, in good faith, with respect to wages, hours and conditions of employment, and subjects treated as mandatory subjects of bargaining under sub. (4) (cm) 2s, with the intention of reaching an agreement, or to resolve questions arising under such an agreement. The duty to bargain, however, does not compel either party to agree to a proposal or require the making of a concession. Collective bargaining includes the reduction of any agreement reached to a written and signed document. The municipal employer shall not be required to bargain on subjects reserved to management and direction of the governmental unit except insofar as the manner of exercise of such functions affects the wages, hours and conditions of employment of the municipal employes. In creating this subchapter the legislature recognizes that the public employer must exercise its powers and responsibilities to act for the government and good order of the municipality, its commercial benefit and the health, safety and welfare of the public to assure orderly operations and functions within its jurisdiction, subject to those rights secured to public employes by the constitutions of this state and of the United States and by this subchapter.

Vetoed  
in Part

(4) (c) 4. This paragraph applies only to municipal employes who are engaged in law enforcement or fire fighting service from January 1, 1978, until ~~October 31, 1981~~ July 1, 1987; but after ~~October 31, 1981~~ July 1, 1987, applies to all municipal employes, except as provided in s. 111.77 (9) or as otherwise expressly provided.

SECTION 1322f. 111.70 (4) (cm) 2s of the statutes is created to read:

111.70 (4) (cm) 2s. “Mandatory subjects of bargaining.” If a provision concerning a permissive subject of bargaining is included in an existing or most recent collective bargaining agreement of a municipal employer covering municipal employes in a collective bargaining unit, the subject of retaining or eliminating the identical language of that provision shall be considered to be a mandatory subject of bargaining between the municipal employer and the representative of that collective bargaining unit.

Vetoed  
in Part

SECTION 1322g. 111.70 (4) (cm) 6 (intro.) of the statutes is amended to read:

111.70 (4) (cm) 6. “Mediation-arbitration.” (intro.) If a dispute has not been settled after a reasonable period of negotiation and after mediation by the commission under subd. 3 and other settlement procedures, if any, established by the parties have been exhausted, and the parties are deadlocked with respect to any dispute between them over wages, hours and conditions of employment, a mandatory subject of bargaining to be included in a new collective bargaining agreement, either party, or the parties jointly, may petition the commission, in writing, to initiate mediation-arbitration, as provided in this section.

SECTION 1322h. 111.70 (7) (b) of the statutes is amended to read:

111.70 (7) (b) This subsection applies only to municipal employes who are engaged in law enforcement or fire fighting service from January 1, 1978, until ~~October 31, 1981~~ July 1, 1987; but after ~~October 31, 1981~~ July 1, 1987, applies to all municipal employes, except as otherwise expressly provided.

SECTION 1322L. 111.71 (2) of the statutes is renumbered 111.71 (3).

SECTION 1322m. 111.71 (2) of the statutes is created to read:

111.71 (2) The commission shall assess and collect a filing fee of \$25 from the party or parties filing a complaint alleging that a prohibited practice has been committed under s. 111.70 (3). The commission shall assess and collect a filing fee of \$25 from the party or

parties filing a request that the commission act as an arbitrator to resolve a dispute involving the interpretation or application of a collective bargaining agreement under s. 111.70 (4) (c) 2 or (cm) 4. If such a request concerns issues arising as a result of more than one unrelated event or occurrence, each such separate event or occurrence shall be treated as a separate request. Fees required to be paid under this subsection shall be paid at the time of filing the complaint or the request for arbitration. A complaint or request for arbitration is not filed until the date such fee or fees are paid. Fees collected under this subsection shall be deposited as general purpose revenue—earned.

SECTION 1322r. 111.94 (title) of the statutes is amended to read:

**111.94 (title) Rules, transcripts, fees.**

SECTION 1322s. 111.94 of the statutes is renumbered 111.94 (1).

SECTION 1322t. 111.94 (2) of the statutes is created to read:

111.94 (2) The commission shall assess and collect a filing fee of \$25 from the party or parties filing a complaint alleging that an unfair labor practice has been committed under s. 111.84. The commission shall assess and collect a filing fee of \$25 from the party or parties filing a request that the commission act as an arbitrator to resolve a dispute involving the interpretation or application of a collective bargaining agreement under s. 111.86. If such a request concerns issues arising as a result of more than one unrelated event or occurrence, each such separate event or occurrence shall be treated as a separate request. Fees required to be paid under this subsection shall be paid at the time of filing the complaint or the request for arbitration. A complaint or request for arbitration is not filed until the date such fee or fees are paid. Fees collected under this subsection shall be deposited as general purpose revenue—earned.

SECTION 1323. 114.002 (2) to (12) of the statutes are renumbered 114.002 (3), (7), (6), (17), (5), (2), (9), (18), (15), (8) and (19), respectively.

SECTION 1324. 114.002 (4), (10) to (14), (16) and (20) of the statutes are created to read:

114.002 (4) “Aircraft dealer” means any person who has an established place of business on an airport located in this state which is open to the public and listed in the airport directory in the federal airman’s information manual, and who is engaged in:

- (a) The manufacture of aircraft.
  - (b) The distribution or sale of new aircraft under authority of a franchise, license, letter of authority, agreement or other arrangement from the manufacturer or the authorized agent of the manufacturer.
  - (c) The sale of used aircraft to ultimate purchasers through ordinary trade channels.
- (10) “Amateur built aircraft” means an aircraft the major portion of which has been fabricated and assembled by a person who undertook the construction project solely for education or recreation.
- (11) “Antique aircraft” means an aircraft more than 35 years old as determined by the date of manufacture and which is used solely for recreational or display purposes.
- (12) “Dealer aircraft” means an aircraft held as business inventory for sale and used only for demonstration purposes.
- (13) “Established place of business” means a permanent office facility where dealership books and records are maintained which the aircraft dealer either owns or occupies under a written lease with the airport owner giving the aircraft dealer the privilege of selling aircraft at that location.
- (14) “Gross weight” means the gross or maximum takeoff weight for an aircraft make and model as designated by the manufacturer.

(16) "Museum aircraft" means an aircraft designated under s. 114.20 (4) and which is owned or held by a museum owned or operated by an organization qualified as a tax exempt organization under section 501 of the internal revenue code.

(20) "Unairworthy aircraft" means an aircraft that is in a severely damaged condition or in a state of major deterioration as determined under s. 114.20 (5).

SECTION 1325. 114.20 of the statutes is repealed and recreated to read:

**114.20 Aircraft registration.** (1) ANNUAL REGISTRATION REQUIRED. (a) Except as provided under sub. (2), all aircraft based in this state shall be registered by the owner of the aircraft with the department on or before November 1, 1981, and annually thereafter on or before November 1. Annual registration fees shall be determined in accordance with sub. (9) or (10).

(b) Aircraft determined by the department to be based in this state shall be subject to the annual registration fees under sub. (9). Aircraft which are determined to be not based in this state shall be exempt from the annual registration fees.

(c) An aircraft is presumed to be based in this state if it is kept in the state for a period of 30 consecutive days or for a cumulative period of 60 days in any calendar year. An aircraft is not based in this state if it is brought into the state solely for the purpose of repair, maintenance or restoration.

(2) EXCEPTIONS TO ANNUAL REGISTRATION REQUIREMENTS. The annual registration requirements under sub. (1) do not apply to aircraft based in this state that are:

- (a) Aircraft included within s. 76.02 (5a);
- (b) Antique aircraft registered under sub. (6);
- (c) Dealer aircraft subject to sub. (7);
- (d) Museum aircraft designated under sub. (4);
- (e) Unairworthy aircraft designated under sub. (5); or
- (f) Amateur built aircraft registered under sub. (8).

(3) FEES IN LIEU OF PROPERTY TAXES. Fees paid on aircraft under this section are in lieu of general property taxes.

(4) MUSEUM AIRCRAFT. Any museum desiring to designate aircraft as museum aircraft shall, on or before November 1 of each year, submit to the department an inventory of all aircraft held by the museum for display or other museum purposes. The inventory shall identify the owner of the aircraft and whether it is being held by the museum under loan or other arrangements. The aircraft designated as museum aircraft are exempt from registration under this section during the time they are owned or held by the museum for display or other museum purposes and are not flown for any purpose except to and from displays. The museum shall promptly notify the department of any additions or deletions to the annual inventory of designated museum aircraft.

(5) UNAIRWORTHY AIRCRAFT. Any person desiring to have an aircraft designated as an unairworthy aircraft may apply to the department in the manner the department prescribes. No application may be acted upon unless all information requested is supplied. Upon receipt of an application and a registration fee of \$5 and after determining from the facts submitted and investigation that the aircraft qualifies as an unairworthy aircraft, the department shall issue an unairworthy aircraft certificate. The certificate shall expire upon transfer of ownership or restoration. An aircraft is presumed restored if it is capable of operation. The annual registration fee is due on the date of restoration. Operation of the aircraft is conclusive evidence of restoration. An additional administrative fee of \$5 shall be charged on all applications filed later than 30 days after the date of restoration.



(6) **ANTIQUE AIRCRAFT.** Any antique aircraft may be registered upon receipt of the proper application and payment of a \$50 registration fee. The registration remains effective without payment of an additional fee while the aircraft is owned by the registrant.

(7) **DEALER AIRCRAFT.** (a) Aircraft shall be exempt from registration under sub. (1) for a period of one year from the date of exemption or until sold, whichever occurs first. Such exemptions will be granted only to aircraft dealers as defined in s. 114.002 (4) upon proper application and receipt of a \$5 administrative fee for each such aircraft.

(b) At the time of sale or expiration of the exemption period, the aircraft dealer shall submit to the department the application and registration fee as required in sub. (9), (10) or (12). Failure to do so will, at the discretion of the department, forfeit the privilege of future exemptions in addition to other penalties and remedies provided herein.

(8) **AMATEUR BUILT AIRCRAFT.** Any amateur built aircraft may be registered upon receipt of the proper application and payment of a \$50 registration fee. The registration remains effective without payment of an additional fee while the aircraft is owned by the registrant.

(9) **ANNUAL REGISTRATION FEES.** Except as provided in sub. (10), the owner of an aircraft subject to the annual registration requirements under sub. (1) shall pay an annual registration fee established in accordance with the following gross weight schedule:

[Maximum gross weight in pounds]	[Annual fee]
(a) Not more than 2,000.....	\$ 30
(b) Not more than 2,500.....	39
(c) Not more than 3,000.....	50
(d) Not more than 3,500.....	70
(e) Not more than 4,000.....	95
(f) Not more than 5,000.....	135
(g) Not more than 6,000.....	190
(h) Not more than 7,000.....	240
(i) Not more than 8,000.....	300
(j) Not more than 9,000.....	375
(k) Not more than 10,000.....	525
(L) Not more than 11,000.....	690
(m) Not more than 12,500.....	940
(n) Not more than 15,000.....	1,125
(o) Not more than 20,000.....	1,310
(p) Not more than 25,000.....	1,500
(q) Not more than 30,000.....	1,690
(r) Not more than 35,000.....	1,875
(s) Not more than 40,000.....	2,190
(t) Not more than 100,000.....	2,500
(u) More than 100,000.....	3,125

(10) **MUNICIPAL AND CIVIL AIR PATROL AIRCRAFT.** Aircraft owned and operated exclusively in the public service by this state, by any county or municipality or by the civil air patrol shall be registered on or before November 1, 1981, and annually thereafter on or before November 1, by the department upon receipt of the proper application accompanied by payment of \$5 for each aircraft.

(11) **ISSUANCE OF CERTIFICATE OF REGISTRATION; DISPLAY OF CERTIFICATE; REFUNDS.** Upon payment of a registration fee or transfer of registration fee, the department shall issue evidence of registration which shall be displayed at all times in the manner prescribed by the department. A refund may be made for aircraft registration fees paid in error as determined by the department. Refunds under this section shall be paid out of the appropriation under s. 20.395 (5) (bq).

(12) **INITIAL ANNUAL REGISTRATION.** For new aircraft, aircraft not previously registered in this state or unregistered aircraft for which annual registration is required under sub. (9), the fee for the initial year of registration shall be computed from the date of purchase, restoration, completed construction or entry of the aircraft into this state on the basis of one-twelfth of the registration fee specified in sub. (9) multiplied by the remaining number of months in the current registration year which are not fully expired. Application for registration shall be filed within 30 days from the date of purchase, restoration, completed construction or entry of the aircraft into this state and if filed after that date an additional administrative fee of \$5 shall be charged. If the date of purchase, restoration, completed construction or entry into this state is not provided by the applicant, the full annual registration fee provided in sub. (9) shall be charged for registering the aircraft.

(13) **LATE PAYMENT CHARGES.** On December 1, 1981, and annually thereafter on December 1, a charge of 10% of the annual registration fee shall be added to any annual registration fee not paid by that date, and 10% of the annual registration fee shall be added to the fee on the first day of each month thereafter until the fee, along with any accrued charges or interest, is paid. If the charges levied under this subsection are less than \$5, the department may waive the charges.

(14) **LOST OR DESTROYED REGISTRATION CERTIFICATES.** Upon satisfactory proof of the loss or destruction of the registration certificate, the department shall issue a duplicate to the owner upon payment of a fee of \$1.50.

(15) **LIEN ON AIRCRAFT FOR FEES DUE AND OWING.** (a) In addition to all existing remedies afforded by civil and criminal law, upon complaint of the department the fees, interest and late filing charges specified in this chapter shall be and will continue to be a lien against the aircraft for which the fees are payable until such time as the fees, along with any accrued charges or interest, are paid.

(b) The lien against the aircraft for the original registration fee shall attach at the time the fee is first payable, and the lien for all renewals of registration shall attach on November 1 of each year thereafter.

(17) **SALE OF REGISTERED AIRCRAFT.** An aircraft which is registered in this state and sold within this state shall be transferred to the name of the purchaser upon application by the purchaser and upon payment of a \$5 fee to the department. Application for transfer of registration shall be filed on the date of purchase. An additional administrative fee of \$10 shall be charged on all applications filed later than 30 days after the purchase date.

(18) **PENALTIES.** (a) Any person who fails to register an aircraft in accordance with this section shall be required to forfeit not more than \$500.

(b) Any person who sells or otherwise transfers an interest in an aircraft for which a certificate of registration is required under this section, or causes or authorizes to be operated an aircraft which that person owns in whole or in part or has a leasehold or equivalent interest and for which a certificate of registration is required by this section, without a certificate having been issued or an application for a certificate having been filed with the department, shall be required to forfeit not more than \$500.

(c) Any person who knowingly makes a false statement in any application or in any other document required to be filed with the department, foregoes the submission of any application, document, or any registration certificate or transfer shall be fined not more than \$5,000 or imprisoned not more than 5 years or both.

(d) In addition to imposing the penalty under par. (a), (b) or (c), the court shall order the offender to make application for registration or reregistration and to pay the required registration fee and any applicable late payment charges and administrative fees.

(19) **COLLECTION OF FEES.** In addition to any other remedies of law, the department may collect the fees, interest and late filing charges specified in this chapter in a proceeding before the transportation commission. An order of the transportation commission which specifies the amount to be paid to the department shall be of the same effect as a judgment for purposes of execution under ch. 815. The institution of a proceeding for review under s. 227.15, shall stay enforcement of the transportation commission order.

~~SECTION 1325b. 114.32 (6) of the statutes is created to read:~~

~~114.32 (6) **APPROVAL REQUIRED.** The secretary or department may not authorize the expenditure of moneys under this section for any project requiring approval under s. 13.489 (8) or (9) until such approval is obtained.~~

~~SECTION 1325c. 114.33 (13) of the statutes is created to read:~~

~~114.33 (13) The secretary or department may not authorize the expenditure of moneys under this section for any project requiring approval under s. 13.489 (8) or (9) until such approval is obtained.~~

~~SECTION 1325d. 114.34 (4) of the statutes is created to read:~~

~~114.34 (4) The secretary or department may not authorize the expenditure of moneys under this section for any project requiring approval under s. 13.489 (8) or (9) until such approval is obtained.~~

~~SECTION 1325e. 114.35 of the statutes is amended to read:~~

~~**114.35 Federal aid; state and local funds.** It is declared to be the policy of the state to promote the development of an airport system in this state and to promote the development of joint airports in this state and in adjoining states which mutually benefit citizens of this state and those of adjoining states. The Subject to approval under s. 13.489 (8) and (9) where required, the secretary shall use the amount provided by the state to assist sponsors in matching the federal aid that may become available to the state or available for specific projects or joint projects within this state or in an adjoining state and to aid sponsors in the development of approved projects on the state system or said joint projects independent of federal aid and for airmarking and air navigation facilities.~~

~~SECTION 1328g. 114.37 of the statutes is created to read:~~

~~**114.37 Advance land acquisition loan program.** (1) **PURPOSE.** The purpose of this section is to promote the state's interest in preserving and improving a safe and efficient air transportation system by means of a program to provide loans for advance land acquisition for airport projects planned under s. 114.33.~~

~~(2) **ADMINISTRATION.** The department shall administer an advance land acquisition loan program to assist counties, cities, villages or towns in acquiring land necessary for airport projects under s. 114.33. The department shall have all powers necessary and convenient to implement this section, including the following powers:~~

~~(a) To specify conditions of eligibility for loans under this section. Such conditions shall include the requirement that the land to be acquired must be part of a planned airport improvement project or a land acquisition project that is essential to future airport development or to the safety of aircraft using the airport.~~

~~(b) To receive applications for loans under this section and to prescribe the form, nature and extent of the information which shall be contained in applications.~~

~~(c) To establish standards for the approval of loans under this section. No loan may be made for an amount greater than 80% of the department's assessment of the value of the property.~~

(d) To enter into loan agreements with applicants to ensure the proper use and prompt repayment of loans under this section. The loan agreement shall include the requirements that the loan be repaid within a period not to exceed 5 years and that the proceeds of any state or federal land acquisition funding received under s. 114.33 be fully pledged to repayment of the loan. The department may not make a loan for more than 80% of the estimated land acquisition costs, including the costs of any necessary project plans and environmental studies. The loan agreement shall require that the department be designated to act as the loan recipient's agent in the acquisition of the land. Title to the land acquired shall be held by the loan recipient, but the department may retain a security interest in the land until the loan is repaid. The loan agreement shall require the payment of interest and reasonable costs incurred by the department.

(e) To acquire lands under s. 114.33 (6) and (7) as the designated agent of a loan recipient.

(f) To audit and inspect the records of loan recipients.

(3) FUNDS. The department may make loans under this section from the appropriation under s. 20.395 (2) (dv). The total outstanding balance of loans under this subsection may not exceed \$2,000,000.

(4) RULES. The department may adopt rules as necessary to implement this section.

SECTION 1328m. 115.28 (3m) of the statutes is amended to read:

115.28 (3m) SUPERVISION OF COOPERATIVE EDUCATIONAL SERVICE AGENCIES. Supervise and audit the receipts and expenditures of the cooperative educational service agencies, conduct program review of the agencies, supervise boundary reorganization where necessary, advise the coordinators of the agencies and provide assistance in organizing the agencies throughout the state.

SECTION 1329g. 115.28 (10) of the statutes is renumbered 115.28 (10) (a).

SECTION 1329r. 115.28 (10) (b) of the statutes is created to read:

115.28 (10) (b) By July 1, 1983, develop a computerized bank of test items which may be used to evaluate pupil competency in minimum reading, writing and mathematics skills. By July 1, 1983, the state superintendent shall develop, from the item bank, objective-referenced basic skills tests for grades 3, 7 and 10. To the extent possible, the test items shall be free of bias. ~~Upon request of a school board, the department shall make the tests available and pay the cost of machine scoring them.~~ Vetoed in Part

SECTION 1330m. 115.53 (4) (intro.) and (b) of the statutes are amended to read:

115.53 (4) (intro.) ~~Apply to the board of regents of the university of Wisconsin system for admission to the university of Wisconsin hospital and clinics, or to the Milwaukee county board of public welfare for admission to the Milwaukee county hospital and clinics, of any pupil in the state schools.~~ Vetoed in Part

(b) The net cost of such hospital treatment shall be at the rate charged to counties for county patients and shall be chargeable ~~one-half~~ [one-half] to the appropriation for operating the patient's school and ~~one-half~~ [one-half] to the state. The state superintendent likewise may authorize payment for the expense of transporting patients to and from the hospital. ~~Payments~~ The state superintendent shall make payments for the treatment ~~shall be made by him to the board of regents for the half chargeable to~~ [for the half chargeable to] ~~or to the Milwaukee county board of public welfare from the operation fund of the school and the other half shall be paid~~ [and the other half shall be paid]. ~~Payments for the treatment shall also be made from the appropriation under s. 20.855 (3) (a) as provided in s. 142.08 (2). Funds collected by him the state superintendent on account of such hospitalization shall be deposited one-half~~ [one-half] in the general fund and ~~one-half~~ [one-half] in the appropriation under s. 20.255 (2) (a) for the school concerned, ~~in the same proportion as annual payments for the treatment were funded from appropriations under ss. 20.255 (2) (a) and 20.855 (3) (a).~~ Vetoed in Part

SECTION 1335g. 115.88 (1) (intro.) of the statutes is amended to read:

115.88 (1) PROGRAM AID. (intro.) If, upon receipt of the report under s. 115.84, the state superintendent is satisfied that the special education program has been maintained during the preceding school year in accordance with law, the superintendent shall certify to the department of administration in favor of each county, cooperative educational service agency and school district maintaining such special education program a sum equal to ~~70%~~ 68% of the amount expended by the county, agency and school district during the preceding year for salaries of personnel enumerated in s. 115.83 (1), including the salary portion of any authorized contract for physical or occupational therapy services, except as provided in pars. (a) and (b), and other expenses approved by the state superintendent. The department of administration shall pay such amounts to the county, agency and school district from the appropriations under s. 20.255 (1) (bd) and (4) (bd). The amount of aid paid to any county, agency or school district under this subsection shall be reduced by any amounts received by that county, cooperative educational service agency or school district under s. 115.88 (7), 1973 stats. for the same school year.

SECTION 1335m. 115.88 (1) (b) of the statutes is amended to read:

115.88 (1) (b) Salaries of senior level school psychologists and senior level school social workers shall be reimbursed at 33-1/3% without regard to whether they are employed in a program for handicapped children. Salaries of senior level school psychologists and senior level school social workers shall be reimbursed at 50% if the school psychologist or social worker spends at least 50% of his time as a part of a multidisciplinary team under s. 115.80 (3) or working directly with or on behalf of a child who has been placed in a special education program under s. 115.85 (2) and such salaries shall be reimbursed at ~~70%~~ 68% if the school psychologist or social worker spends all of his time as a part of a multidisciplinary team under s. 115.80 (3) or working directly with or on behalf of a child who has been placed in a special education program under s. 115.85 (2). The school district, county handicapped children's education board or cooperative educational service agency shall include in the report under s. 115.84 any information required by the state superintendent relating to use of a school psychologist or school social worker.

~~SECTION 1338m. 115.97 (5) of the statutes is created to read:~~

~~115.97 (5) (a) Notwithstanding the requirement under subs. (2) to (4) that a program be taught by a bilingual teacher, the program may be taught by teachers who are certified in teaching English as a 2nd language, if appropriate bilingual teachers are unavailable and the state superintendent approves under par. (b).~~

Vetoed  
in Part

~~(b) The state superintendent may approve only if the school board annually demonstrates, to his or her satisfaction, all of the following:~~

- ~~1. A good faith, continuing effort to recruit appropriate bilingual teachers.~~
- ~~2. A lack of available certified bilingual teachers in the language of the limited-English speaking pupils.~~
- ~~3. Compliance with all of the other requirements of this subchapter.~~

SECTION 1339m. 116.08 (1) of the statutes is amended to read:

116.08 (1) An amount not to exceed \$47,300 in 1979-80 and \$50,600 ~~\$25,000~~ annually thereafter shall be paid to each agency for the maintenance and operation of the office of the board of control and agency administrator. No state aid may be paid unless the agency submits by August 1 an annual report which includes a detailed certified statement of its expenses for the prior year to the state superintendent, and such statement reveals that the state aid was expended as provided by this section. In no case may the state aid exceed the actual expenditures for the prior year as certified in such statement.

SECTION 1341. 116.52 of the statutes is amended to read:

**116.52 Meetings and expenses.** (1) The committee shall meet annually on the 2nd Monday in July and at other times upon the call of the president or a majority of the membership. At ~~such~~ the annual meeting, the committee shall elect a president and a vice president who shall hold office for one year and until a successor is elected.

(2) Each member shall receive \$10 for each day the member attends a meeting of the committee. The members and the secretary shall be paid ~~14~~ 17 cents per mile in the 1981-82 school year and 20 cents per mile traveled thereafter for travel going to and returning from the place of meeting by the usual traveled route and. The members shall also be reimbursed for any other necessary expenses. The committee may also incur costs of for preparation, service, posting and publication of notice to perform its functions and defend its actions shall be allowed.

(3) Each agency treasurer shall keep an account of the expenses of the committee. Annually, on or before August 1, the agency treasurer shall submit a ~~claim for such state-~~ ment of the expenses to the department on such forms as the department requires. The claim statement shall be audited, and the state superintendent shall certify the approved amount ~~thereof~~ to the department of administration which shall pay ~~such~~ the amount to the agency from the appropriation under s. 20.255 (1) ~~(eh)~~ (ci).

SECTION 1341m. 117.01 (4) (b) 4 of the statutes is amended to read:

117.01 (4) (b) 4. If there are more than 2 candidates for any office on a 3-member school board, more than twice as many candidates as there are members to be elected to a school board of more than 3 members, more than twice as many candidates as there are members to be elected from any district of a school board to which members are elected pursuant to a plan of apportionment or district representation plan under s. 120.02 (2) (b) or 120.73 (1) (e), there shall be a primary election for such positions 4 weeks before the election. The terms of school board members for the first election shall be determined under s. 120.02 (3) (a) 2. The clerk described in subd. 3 shall have charge of the primary and the election and shall conduct them in accordance with s. 120.06, unless otherwise specified in this section or s. 120.73 (1) (a).

SECTION 1342. 117.03 (2) of the statutes is amended to read:

117.03 (2) Upon receipt of a notice of appeal filed under sub. (1), the state superintendent shall promptly appoint a state appeal board composed of the presidents of 4 agency school committees of agencies which have no territory included in the order under appeal. The state superintendent or his or her designated representative shall act as ~~chair-~~ man chairperson, shall have the right to vote and shall furnish secretarial services. Each agency school committee president on a state appeal board shall receive \$15 ~~for each day spent in the performance of his or her duties, and shall be reimbursed 14 cents per mile traveled to and from meetings by the usual traveled route and for actual and necessary expenses. Expense account vouchers shall be filed with the state superintendent and paid out of the appropriation under s. 20.255 (1) (a) reimbursement under s. 116.52 from the appropriation under s. 20.255 (1) (ci).~~

SECTION 1343e. 118.125 (2) (intro.) of the statutes is amended to read:

118.125 (2) (intro.) All pupil records maintained by a public school shall be confidential, except as provided in pars. (a) to ~~(h)~~ (i). The school board shall adopt regulations to maintain the confidentiality of such records.

SECTION 1343m. 118.125 (2) (i) of the statutes is created to read:

118.125 (2) (i) The district board of the vocational, technical and adult education district in which the public school is located shall, upon request, be provided by the school district clerk with the names of pupils who have withdrawn from the public school prior to graduation under s. 118.15 (1) (c).

SECTION 1343s. 118.15 (1) (c) of the statutes is amended to read:

118.15 (1) (c) Upon the child's request and with the written approval of the child's parent or guardian, any child who is 16 years of age or over shall be excused by the school board from school attendance. A child who is excused from school attendance under this paragraph shall be informed by the school board of ~~his or her~~ the availability of programs within the vocational, technical and adult education system and of the child's right to be readmitted to school upon request. The school board may specify when the child will be excused or readmitted after being excused from school attendance.

SECTION 1348. 120.10 (18) of the statutes is repealed.

SECTION 1349j. 120.15 (1) of the statutes is amended to read:

120.15 (1) Countersign all checks and drafts for disbursement of school district moneys.

SECTION 1349L. 120.16 (2) of the statutes is amended to read:

120.16 (2) Apply for, receive and sue for all money appropriated to or collected for the school district and disburse the same in accordance with this subsection and s. 66.042. Disbursements from the school district treasury shall be made by the school district treasurer upon the written order of the school district clerk after proper vouchers have been filed with the school district clerk. Such disbursements shall be by order check or draft and no order check or draft is valid nor may it be released to the payee unless signed by the school district clerk and school district treasurer and countersigned by the school district president. In a school district having 5 or more school board members, another school board member may countersign such order checks or draft in lieu of the school district president. No order check or draft may be drawn for the payment of which money has not been appropriated according to law. The school district treasurer may receive money raised in extracurricular activities. The school board may by resolution authorize the use of facsimile signatures as provided in s. 66.042 (3). A certified copy of the resolution shall be filed with the school district clerk and each public depository concerned.

SECTION 1350. 120.19 of the statutes is repealed.

SECTION 1351. 120.23 of the statutes is repealed.

SECTION 1351p. 120.72 of the statutes is amended to read:

**120.72 Composition of school board.** The school board of a unified school district shall be composed of 5, 7 or 9 members as designated in the order of school district reorganization creating the unified school district. The number of school board members may be changed in accordance with s. 120.02 (1). A plan of apportionment of school board members may be adopted in accordance with s. 120.02 (2). A representation plan for election of school board members by election district may be adopted under s. 120.73 (1) (e).

SECTION 1351q. 120.73 (1) (a) and (b) of the statutes is amended to read:

120.73 (1) (a) School board members in a unified school district shall be electors of the school district and shall be elected at large, or at large to numbered seats ~~or~~, at large to an apportioned election district by a plurality vote of the electors of the school district or from election districts pursuant to a representation plan under s. 120.73 (1) (e) by a plurality of the electors of each election district within the school district. School board members shall be elected under s. 120.06 at the spring election, except that those provisions of s. 120.06 (2), (6) and (12) relating to at-large elections do not apply to elections conducted under a district representation plan.

(b) The regular terms of school board members shall be for 3 years. School board members elected for regular or unexpired terms shall take office, if they have taken and filed the official oath, on the 4th Monday in April. Elections to fill unexpired terms shall be held simultaneously with the elections for regular terms. In school districts electing members of the school board at large, the regular terms to shall be filled by the appropriate number of candidates receiving the highest number of votes and the unexpired terms

to shall be filled by the appropriate number of candidates receiving the next highest number of votes.

SECTION 1351r. 120.73 (1) (e) of the statutes is created to read:

120.73 (1) (e) A school district which has at any time reported a number of pupils exceeding 20,000 in its annual report under s. 121.05 may, in the manner provided in s. 120.02 (4), adopt a plan of apportionment for the election of school board members by election district. Under such a plan, the school board shall, within 60 days after adoption of the plan and decennially thereafter within 60 days after the population count by block or enumeration district for the school district established in the federal decennial census of population becomes available in printed form from the federal government or is published by an agency of this state, adopt a district apportionment plan which provides for election districts within the school district of substantially equal population. The plan shall number the election districts and divide them into 3 classes, with as nearly as possible to one-third of the members elected in each year. The plan shall be implemented at the spring election following adoption of the plan if it is adopted after the spring election and before November 1 in any year, or otherwise at the 2nd following spring election. At the election in which the plan is implemented, the first class of members shall be elected to serve a term of one year; the 2nd class of members shall be elected to serve a term of 2 years; and the 3rd class of members shall be elected to serve a term of 3 years. At the time the members initially elected under the plan take office, all incumbent members shall cease to hold office. After the adoption of the plan, candidates for school board membership shall file as candidates for a particular numbered election district. If there are more than 2 candidates for any seat on the school board from any election district, there shall be a primary election for that seat on the school board. Members of the school board shall reside in the election district within the school district from which they are elected.

SECTION 1352. 120.75 of the statutes is amended to read:

**120.75 School board powers and duties.** The public schools of a unified school district shall be under the management, control and supervision of a school board. The school board shall have the powers and duties under ss. 120.12 to 120.17, ~~120.19 to~~ 120.21, 120.22 and 120.58, including the power to make rules pertaining to conduct and dress of pupils in order to maintain good decorum and a favorable academic atmosphere. No annual meeting shall be held in a unified school district but the school board shall have the powers of the annual meeting under s. 120.10. Annually, the school district clerk shall file the report required under s. 120.18. The school board shall employ a school district administrator under s. 118.24. The school board shall not, in the name of the school district, issue bonds or incur other indebtedness without approval of the electors of the school district in any instance where the school board of a common school district is not authorized to do so.

SECTION 1352m. 121.004 (2) and (3) of the statutes are created to read:

121.004 (2) **GROSS COST.** The "gross cost" of a fund means the sum of all nonduplicative expenditures from that fund.

(3) **NET COST.** The "net cost" of a fund means the gross cost of that fund minus the offsetting receipts to that fund. In this subsection, "offsetting receipts" means all nonduplicative receipts except property taxes and state general aids, and includes federal financial assistance under 20 USC 236 to 245 to the extent permitted under federal law and regulations.

SECTION 1353. 121.004 (8) (a) of the statutes is repealed.

SECTION 1354. 121.004 (8) (b) of the statutes is renumbered 121.004 (8) and amended to read:



121.004 (8) ~~“Current membership”~~ “Membership” for any school district is the sum of pupils enrolled as reported under s. 121.05 and the summer average daily membership equivalent for classes approved under s. 121.14. ~~Only district resident pupils and pupils enrolled under s. 121.05 (1) (a) 3 and 4 may be counted in computing current membership.~~

SECTION 1355. 121.004 (8) (c) of the statutes is repealed.

SECTION 1356. 121.007 of the statutes is amended to read:

**121.007 Use of state aid; exemption from execution.** All moneys paid to a school district under s. 20.255 (1) (cc), (cf), (fg), ~~(fj)~~ and (fs) and (4) (fg) shall be used by the school district solely for the purposes for which paid. Such moneys are exempt from execution, attachment, garnishment or other process in favor of creditors, except as to claims for salaries or wages of teachers and other school employes and as to claims for school materials, supplies, fuel and current repairs.

SECTION 1358. 121.05 (1) (intro.) and (a) (intro.) of the statutes are repealed and recreated to read:

121.05 (1) (intro.) The school district clerk shall include, as part of the annual school district report under s. 120.18:

(a) (intro.) The average of the number of pupils enrolled on the 3rd Friday of September and the 2nd Friday of January of the previous school year, including:

SECTION 1362. 121.05 (1) (b) of the statutes is amended to read:

121.05 (1) (b) The number of teachers employed in the school district on the 3rd Friday of September of the current previous school year; ~~and.~~

SECTION 1363. 121.05 (2) of the statutes is repealed.

SECTION 1364. 121.05 (3) of the statutes is amended to read:

121.05 (3) If a school district is unable to hold school on ~~the 3rd Friday of September~~ either of the 2 dates specified in sub. (1) (a), the state superintendent shall designate an alternative membership counting date ~~and may designate an alternative reporting date dates.~~

SECTION 1365. 121.06 (1) of the statutes is amended to read:

121.06 (1) Annually on or before October 1, the full value of the taxable property in each school district, in each part of a city, village and town in a joint school district and in each city authorized to issue bonds for school purposes, including territory attached only for school purposes, shall be determined by the department of revenue according to its best judgment from all sources of information available to it and shall be certified by the department to the state superintendent. ~~The valuation certified by the department shall include the adjustments for merchants' stock in trade, manufacturers' materials and finished products and livestock under s. 70.57 (5).~~

SECTION 1366. 121.07 (1) (a) of the statutes is amended to read:

121.07 (1) (a) The membership and teacher-pupil ratio of the school district ~~on the 3rd Friday in September in the previous school year as reported under s. 121.05~~ and the ~~estimated~~ shared cost for the current previous school year shall be used in computing general aid. In computing general aid, the membership teacher-pupil ratio shall not exceed 25 ~~times the number of teachers reported under s. 121.05 (1) (b).~~

SECTION 1368. 121.07 (6) (a) and (b) of the statutes are amended to read:

121.07 (6) (a) “Shared cost” is the sum of the school district net cost of the general fund operational cost and annual capital outlay, minus the operational receipts, plus principal and interest payments on long-term indebtedness for the current school year the net cost of the debt service fund. ~~The sum of principal and interest payments on long-term~~

indebtedness net cost of the debt service fund included in shared cost may not exceed an amount equal to \$90 per member multiplied by the membership.

(b) The "primary ceiling cost per member" is 110% of the state ~~average~~ shared cost per member divided by the membership for the previous school year, as determined by the state superintendent, except as provided in s. 121.23.

SECTION 1369. 121.07 (7) (a) of the statutes is amended to read:

121.07 (7) (a) The "primary guaranteed valuation per member" shall be ~~\$166,000 \$231,000~~ in the ~~1979-80 1981-82~~ school year and ~~\$195,900 \$271,100~~ thereafter.

~~SECTION 1369e. 121.075 of the statutes is created to read:~~

~~121.075 Distribution of excess oil profits receipts. (1) Beginning on or before September 1, 1982, and annually thereafter, the state superintendent shall:~~

~~(a) Estimate the amount which would be expended in the current school year under s. 20.255 (1) (cc) using the primary guaranteed valuation per member under s. 121.07 (7)~~

~~(a). If the legislature has not established guaranteed valuations under s. 121.07 (7) for the school year for which the computation under this subsection is to be made, the state superintendent shall estimate guaranteed valuations to distribute an amount consistent with the percentage that state aid is to statewide school costs, as represented by the appropriation under s. 20.255 (1) (cc) for the current school year, to compute the estimate under this paragraph.~~

~~(b) Increase the amount under par. (a) or the amount under s. 20.255 (1) (cc), whichever is less, by the amount in the appropriation under s. 20.255 (1) (s). If the amount under s. 20.255 (1) (s) is increased under this paragraph, then aid distribution shall first be determined under par. (bg) and (or) and then under par. (c).~~

~~(bg) Use, for the purpose of distributing aid, the following secondary guaranteed valuations:~~

~~1. For school districts with equalized valuations per member not greater than 100% of the statewide equalized valuation per member, 115% of the statewide equalized valuation per member.~~

~~2. For school districts with equalized valuations per member greater than 100% and less than 105% of the statewide equalized valuation per member, 110% of the statewide equalized valuation per member.~~

~~3. For school districts with equalized valuations per member equal to or greater than 105% and less than 110% of the statewide equalized valuation per member, 105% of the statewide equalized valuation per member.~~

~~4. For school districts with equalized valuations per member equal to or greater than 110% of the statewide equalized valuation per member, the statewide average equalized valuation per member.~~

~~(br) If the amount under s. 20.255 (1) (s) is insufficient to fund the guaranteed valuations under par. (bg), establish percentages that proportionately reflect the amounts to be distributed under s. 20.255 (1) (s). If the amount under s. 20.255 (1) (s) exceeds the amount necessary to fund the guaranteed valuations under par. (bg), the additional funds shall be distributed under par. (c).~~

~~(c) Estimate the increase in the primary guaranteed valuation per member, rounded to the nearest \$100, necessary to distribute the additional amounts under par. (b) as general equalization aid.~~

~~(d) Submit to the joint committee on finance for its approval an estimate of the estimated aid increases and guaranteed valuations calculated under this subsection.~~

~~(2) Annually by September 15, the joint committee on finance shall direct the revisor of statutes to increase the primary guaranteed valuation per member under s. 121.07 (7) (a) for the current school year as determined by the committee, based upon the sum of the amounts in the appropriations under s. 20.255 (1) (cc) and (s).~~

Vetoed  
in Part

SECTION 1369g. 121.085 (1) (intro.) of the statutes is amended to read:

121.085 (1) (intro.) ~~The~~ Except as provided under sub. (1m), the state shall pay to each school district the amount determined by subtracting the amount determined under par. (b) from the amount determined under par. (a):

SECTION 1369r. 121.085 (1m) of the statutes is created to read:

121.085 (1m) No aid under this section may be paid to any school district unless a city or village located within the school district verifies to the department of revenue that it has committed and expended financial resources specifically to development of a tax incremental district before July 1, 1981.

~~SECTION 1370g. 121.10 (1) and (2) (intro.) of the statutes are amended to read:~~

~~121.10 (1) If a school district located in a county having a population of 500,000 or more would receive less general aid under s. 121.08 for the current school year than it received as state aid in the previous school year, its general aid for the current school year shall be increased by an amount equal to 50% of the difference between state aid received in the previous school year and the amount computed under s. 121.08 for the current school year.~~

Vetoed  
in Part

~~(2) (intro.) To be eligible to receive aid under sub. (1) a school district shall meet the following criteria under pars. (a), (b) and (c) or the criterion under par. (d).~~

~~SECTION 1370p. 121.10 (2) (d) of the statutes is created to read:~~

~~121.10 (2) (d) Its percentage decrease from the state aid received in the previous school year and the amount computed under s. 121.08 for the current school year is greater than 30%.~~

SECTION 1371. 121.11 (1) (b) and (c) of the statutes are amended to read:

121.11 (1) (b) The excess tax base loss shall be computed by subtracting 5.4% of the equalized valuation of the school district without reduction for fractional assessment under s. 70.57 (5), 1979 stats., from the full value within the school district of merchants' stock-in-trade, manufacturers' materials and finished products and livestock without reduction for fractional assessment under s. 70.57 (5), 1979 stats., and multiplying the remainder by the percentage of such property not included in the school district equalized valuation under s. 70.57 (5), 1979 stats. If this computation results in a negative amount, the excess tax base loss shall be zero.

(c) For purposes of this section, the shared cost levy rate shall be computed by dividing the school district shared cost under s. 121.07 (6), less the amount of general aid determined under s. 121.08 without reduction for fractional assessment under s. 70.57 (5), 1979 stats., by the school district equalized valuation without reduction for fractional assessment under s. 70.57 (5), 1979 stats.

SECTION 1372. 121.11 (1) (e) of the statutes is created to read:

121.11 (1) (e) In order to compute the amount to be paid under this subsection in the 1982-83 and 1983-84 school years, the department shall calculate 66.66% of the aid paid in 1981-82 for payment in 1982-83 and 33.33% of the aid paid in 1981-82 for payment in 1983-84.

SECTION 1373m. 121.135 of the statutes is renumbered 121.135 (1) and amended to read:

121.135 (1) If, upon receipt of the report under s. 115.84, the state superintendent is satisfied that any children enrolled and participating in a special education program provided by a county handicapped children's education board under this subchapter and not counted as pupils enrolled under s. 121.05 are receiving the substantial equivalent of an elementary or high school education from those services, the superintendent shall certify to the department of administration from the appropriation under s. 20.255 (1) (cc) in favor of the county handicapped children's education board providing those services ~~per the amount specified under sub. (2) for each pupil enrolled.~~ Enrollment for aid purposes shall be determined in accordance with s. 121.05. Aids payable under this subsection shall take effect with the fiscal year beginning July 1, 1973.

SECTION 1374m. 121.135 (2) of the statutes is created to read:

121.135 (2) In the 1981-82 and 1982-83 school years, the amount of aid under sub. (1) shall be \$180. Annually thereafter, this amount shall be increased or decreased by the same percentage as the appropriation under s. 20.255 (1) (cc).

~~SECTION 1378. 121.55 (4) of the statutes is amended to read:  
121.55 (4) A school board which intends to offer a contract under sub. (3) shall notify the parent or guardian of the private school pupil of its intention at least 30 days before the commencement of the school year term of the public school district.~~

Vetoed  
in Part

SECTION 1378g. 121.82 (2) (a) of the statutes is amended to read:

121.82 (2) (a) The tuition for any given school year shall be the sum of the school district net cost of the general fund operational cost and annual capital outlay, minus the operational receipts, plus principal and interest payments on long-term indebtedness the net cost of the debt service fund for the current that school year for the school district of attendance divided by the average daily membership of the that school district providing the service, rounded to the nearest dollar.

SECTION 1378r. 121.85 (1) (c) of the statutes is amended to read:

121.85 (1) (c) "Total Net school cost" is the sum of the school district net cost of the general fund operational cost and annual capital outlay, minus the operational receipts, plus the principal and interest payments on long-term indebtedness the net cost of the debt service fund for the current school year.

SECTION 1379m. 121.90 (1) of the statutes is amended to read:

121.90 (1) "Controllable cost" means ~~shared cost as defined in s. 121.07 (6) (a), excluding any amount included therein for principal and interest payments on long-term indebtedness~~ the net cost of the general fund.

SECTION 1379n. 121.90 (2) (intro.) of the statutes is amended to read:

121.90 (2) (intro.) "Cost control membership" means the ~~number~~ sum of the number of pupils enrolled on the 3rd Friday of September and the summer average daily membership equivalent, as calculated under par. (a) or (b).

SECTION 1380. 121.90 (2) (a) and (b) of the statutes are amended to read:

121.90 (2) (a) For any school district whose membership in the current school year is not greater than 102% of its membership in the previous school year, the cost control membership is the average, rounded to the nearest whole number, of the school district's ~~current~~ membership for in the previous school year and its ~~current~~ membership of in the current school year.

(b) For any school district whose membership in the current school year exceeds 102% of its membership in the previous school year, the cost control membership is the ~~sum of subs. 1 and 2. 1. One hundred and one percent of the school district's membership in the previous school year, rounded to the nearest whole number. 2. The difference between the school district's membership in the current school year and 102% of the in~~

the current school year minus one percent of the school district's membership in the previous school year, rounded to the nearest whole number.

SECTION 1381. 121.90 (3) of the statutes is created to read:

121.90 (3) "Controllable cost per member" means controllable cost divided by cost control membership.

SECTION 1383. 121.91 (1) of the statutes is amended to read:

121.91 (1) The budgeted controllable cost for each school district is limited to the sum of its controllable cost per member for the previous school year and 10.5% of its controllable cost per member for the previous school year, multiplied by the cost control membership. For the purpose of this subsection, the controllable cost per member for the previous school year is the maximum budgeted controllable cost per member allowed under this subchapter in the previous school year, but does not include any amounts expended in excess of the maximum budgeted controllable cost allowed under this subchapter in the previous school year.

SECTION 1384. 121.91 (1m) of the statutes is amended to read:

121.91 (1m) A school district whose controllable cost per member is below the statewide average may increase its controllable cost per member by to an amount not to exceed the statewide average controllable cost per member for the previous school year times the percentage established under sub. (1), multiplied by the cost control membership or to an amount not to exceed its controllable cost per member multiplied by the percentage established under sub. (1), whichever is greater. For the purpose of this subsection, the controllable cost per member for the previous school year does not include any amounts expended in excess of the maximum budgeted controllable cost allowed under this subchapter in the previous year.

SECTION 1385. 121.91 (2) of the statutes is created to read:

121.91 (2) In addition to the amounts set forth in sub. (1) or (1m), a school district may include in its budgeted controllable cost such additional amounts as determined by the state superintendent, after finding that there is evidence that the shared cost limitation controls under this subchapter would:

- (a) Prevent the development of new or expanded programs under subch. V of ch. 115.
- (b) Prevent the payment of operational or nonoperational costs for a newly constructed school building or an addition to or improvement of an existing school building or other school facility.
- (c) Prevent the full implementation of a comprehensive plan to eliminate racial imbalance in the school district by a stated date.
- (d) Affect compliance by the school district with the specific order of a court or a state or federal agency, with the exception of orders issued by the department of public instruction, directing that school district to take an action not required by the order of all other school districts. For the purposes of this paragraph, a decision of a mediator-arbitrator acting under s. 111.70 (4) (cm) does not constitute an order of a court or a state or federal agency.
- (e) Apply to any documented inflationary increase in the costs of heat for buildings and electricity which exceeds the percentage established under sub. (1) of the previous school year's expenditures for heat for buildings and electricity.
- (g) Prevent the provision of transportation for pupils in areas of unusual hazards under s. 121.54 (9), where such transportation was not provided in the previous school year.
- (h) Prevent the provision of transportation for pupils living 2 miles or more from school in a city, where such transportation was not provided in the previous school year.

- (i) Prevent compliance by the school district with state or federal regulations requiring programs to be accessible to children with exceptional educational needs.
- (j) Prevent the payment of expenses attributable to the cost of fuel for pupil transportation, which exceed the percentage, established under sub. (1), of the previous school year's expenditures attributable to the cost of fuel for pupil transportation.
- (k) Prevent the full implementation of the uniform financial fund accounting system under s. 115.28 (13).
- (L) Prevent the assumption of costs related to programs under subch. V of ch. 115 in a school district subscribing to programs operated by:
  1. A county handicapped children's education board, due to the withdrawal from or dissolution of the program under s. 115.86 (7) or to the discontinuation of the board under s. 115.86 (9) (b); or
  2. Another school district. Costs attributable to the transferred program under this subdivision shall be deducted from the originating school district's base cost.
- (n) Prevent the development of new or expanded programs under subch. IV of ch. 115.
- (o) Prevent the employment of school nurses in school districts that have not previously incurred the costs of school nurses.
- (q) Applicable for school years 1981-82 and 1982-83 only, prevent the payment of additional cooperative educational service agency expenses caused by the reduction in state aid to cooperative educational service agencies under chapter .... (this act), laws of 1981.

SECTION 1387. 134.80 of the statutes is amended to read:

**134.80 Home heating fuel dealers.** Any dealer selling fuel of any kind for the purpose of heating a private residence shall notify each private residential customer whose account is subject to disconnection of the existence of the ~~emergency fuel and utilities assistance program under s. 49.055~~ fuel assistance programs provided by the department of health and social services.

SECTION 1387a. Chapter 139 (title) of the statutes is amended to read:

CHAPTER 139  
BEVERAGE AND ~~CIGARETTE~~ TOBACCO TAXES

SECTION 1387b. 139.03 (2m) of the statutes is amended to read:

139.03 (2m) The rate of such tax is ~~\$2.60~~ \$3.25 per wine gallon on intoxicating liquor, except wine containing not in excess of 21% of alcohol by volume and intoxicating liquor taxed under sub. (2t) or (2w), containing 0.5% or more of alcohol by volume, and is computed in accordance with the following tables, using whichever table produces the least amount of tax: [See Figures 139.03 (2m) (a) and (b) following]

**Figure: 139.03 (2m) (a)**

Quantity in Wine Gallons	Quantity in Ounces	Tax when alcoholic content is 1/2% or more by volume
Up to and including 1/64 of a gallon	Up to and including 2	<del>\$.040625</del> \$.05075
More than 1/64 of a gallon to and including 1/32 of a gallon	More than 2 to and including 4	<del>\$.08125</del> \$.1015
More than 1/32 gallon to and including 1/16 of a gallon	More than 4 to and including 8	<del>\$.1625</del> \$.203
More than 1/16 gallon and including 1/10 gallon	More than 8 to and including 12.8	<del>\$.26</del> \$.325

CHAPTER 20

More than 1/10 gallon to and including 1 pint	More than 12.8 to and including 16	<del>.325</del> <u>.406</u>
More than 1 pint to and including 1/5 gallon	More than 16 to and including 25.6	<del>.52</del> <u>.65</u>
More than 1/5 gallon to and including 1 quart	More than 25.6 to and including 32	<del>.65</del> <u>.8125</u>
More than 1 quart to and including 1/2 gallon	More than 32 to and including 64	<del>1.30</del> <u>1.625</u>
More than 1/2 gallon to and including 1 gallon	More than 64 to and including 128	<del>2.60</del> <u>3.25</u>

Figure: 139.03 (2m) (b)

Quantity in liters		Tax when alcoholic content is 1/2% or more by volume
50	milliliters	<del>\$.034</del> <u>\$.04293</u>
200	milliliters	<del>.137</del> <u>.17172</u>
500	milliliters	<del>.343</del> <u>.4293</u>
750	milliliters	<del>.515</del> <u>.64396</u>
1	liter	<del>.687</del> <u>.8586</u>
1.75	liters	<del>1.202</del> <u>1.50255</u>

SECTION 1387c. 139.03 (2n) of the statutes is amended to read:

139.03 (2n) The rate of such tax is ~~19.5~~ 25 cents per wine gallon on wine containing 14% or less of alcohol by volume, and ~~39~~ 45 cents per wine gallon on wine containing more than 14% of alcohol by volume, but not in excess of 21% of alcohol by volume.

SECTION 1387d. 139.03 (2t) (intro.) of the statutes is amended to read:

139.03 (2t) (intro.) The rate of tax, effective on August 20, ~~1977~~ 1, 1981, and thereafter is ~~\$1.65~~ \$1.65 per wine gallon on intoxicating liquor, containing 0.5% or more of alcohol by volume, manufactured or distilled in this state by pollution control facilities as defined in s. 66.521 (2) (h) or from ~~whey and brewing wastes which are~~ whey and brewing wastes that are produced in this state, ~~except that alcohol manufactured or distilled in this state by pollution control facilities as defined under s. 66.521 (2) (h) from brewing wastes that are produced in this state is not subject to the tax under this subsection.~~ The tax shall be computed in accordance with the following table and the department of revenue shall calculate the equivalent rates for metric containers tables, using whichever table produces the least amount of tax. [See Figure Figures 139.03 (2t) (a) and (b) following]

SECTION 1387gm. 139.03 (2t) (figure) of the statutes is renumbered 139.03 (2t) (a) (figure) and amended to read:

Quantity in wine gallons	Quantity in ounces	Tax
Up to and including <del>1/64</del> <u>1/64</u> of a gallon	Up to and including <del>2</del> <u>2</u> ounces	<del>\$.015625</del> <u>\$.0258</u>
More than 1/64 of a gallon to and including 1/32 of a gallon	More than 2 to and including 4	<del>.03125</del> <u>.0516</u>
More than 1/32 gallon to and including 1/16 of a gallon	More than 4 to and including 8	<del>.0625</del> <u>.10315</u>
More than 1/16 gallon and including 1/10 gallon	More than 8 to and including 12.8	<del>.10</del> <u>.165</u>

More than 1/10 gallon to and including 1 pint	More than 12.8 to and including 16	.135 2063
More than 1 pint to and including 1/5 gallon	More than 16 to and including 25.6	.20 33
More than 1/5 gallon to and including 1 quart	More than 25.6 to and including 32	.25 4125
More than 1 quart to and including 1/2 gallon	More than 32 to and including 64	.50 825
More than 1/2 gallon to and including 1 gallon	More than 64 to and including 128	1.00 1.65

SECTION 1387go. 139.03 (2t) (b) (figure) of the statutes is created to read:

Figure 139.03 (2t) (b)

Quantity in liters		Tax when alcoholic content is 1/2% or more by volume
50 milliliters		\$.0218
200 milliliters		.0872
500 milliliters		.218
750 milliliters		.327
1 liter		.435
1.75 liters		.763

SECTION 1387gr. 139.03 (2w) of the statutes is created to read:

139.03 (2w) The rate of tax, effective from August 1, 1981 to July 31, 1982, is \$2.45 per wine gallon on intoxicating liquor containing 0.5% or more of alcohol by volume manufactured or distilled in this state from brewing wastes that are produced in this state shall be computed in accordance with the following tables, using whichever table produces the least amount of tax: [See Figures 139.03 (2w) (a) and (b) following]

Figure 139.03 (2w) (a)

Quantity in Wine Gallons	Quantity in Ounces	Tax when alcoholic content is 1/2% or more by volume
Up to and including 1/64 of a gallon	Up to and including 2	\$.03025
More than 1/64 of a gallon to and including 1/32 of a gallon	More than 2 to and including 4	.0765
More than 1/32 gallon to and including 1/16 of a gallon	More than 4 to and including 8	.153
More than 1/16 gallon and including 1/10 gallon	More than 8 to and including 12.8	.245
More than 1/10 gallon to and including 1 pint	More than 12.8 to and including 16	.306
More than 1 pint to and including 1/5 gallon	More than 16 to and including 25.6	.49
More than 1/5 gallon to and including 1 quart	More than 25.6 to and including 32	.6125
More than 1 quart to and including 1/2 gallon	More than 32 to and including 64	1.225
More than 1/2 gallon to and including 1 gallon	More than 64 to and including 128	2.45

Figure 139.03 (2w) (b)

Quantity in liters		Tax when alcoholic content is 1/2% or more by volume
50 milliliters		\$.83275
200 milliliters		1.294
500 milliliters		1.275
750 milliliters		.48525
1 liter		.647
1.75 liters		1.19225

SECTION 1387h. 139.03 (4) of the statutes is created to read:



139.03 (4) Sections 71.10 (10) (d) to (g), 71.11 (16), (17), (19), (20), (22) and (23), 71.12 to 71.135, 73.01 and 73.015 apply to the administration of this section for the assessment and collection of additional taxes when a tax rate change becomes effective.

SECTION 1387i. 139.11 (2) of the statutes is amended to read:

139.11 (2) REPORT. Each brewer, bottler, manufacturer, rectifier and wholesaler shall on or before the 15th day of each calendar month make a verified return to the secretary department of revenue of all fermented malt beverages or intoxicating liquor manufactured, received, sold, delivered or shipped by him or her during the preceding calendar month, except that the department may allow wholesale, winery and out-of-state shipper permittees whose tax liability is less than \$500 per quarter to file on a quarterly basis. Quarterly reports shall be mailed on or before the 15th of the next month following the close of the calendar quarter. Such return shall be made upon forms furnished by the secretary department of revenue and shall contain such the information as he it deems necessary for the collection and enforcement of the tax.

SECTION 1387r. 139.31 (1) (a) and (b) of the statutes are amended to read:

139.31 (1) (a) On cigarettes weighing not more than 3 pounds per thousand, ~~8~~ 10 mills on each cigarette.

(b) On cigarettes weighing more than 3 pounds per thousand, ~~16~~ 20 mills on each cigarette.

SECTION 1387s. 139.31 (2) of the statutes is created to read:

139.31 (2) Sections 71.10 (10) (d) to (g), 71.11 (16), (17), (19), (20), (22) and (23), 71.12 to 71.135, 73.01 and 73.015 apply to the administration of this section for the assessment and collection of additional taxes when a tax rate change becomes effective.

SECTION 1387w. 139.38 (2) of the statutes is renumbered 139.38 (2) (a) and amended to read:

139.38 (2) (a) ~~Every~~ Except as provided in par. (b), every permittee shall render a true and correct invoice of every sale of cigarettes at wholesale and shall on or before the 15th day of each calendar month make a verified report to the secretary department of all cigarettes purchased, sold, received, warehoused or withdrawn during the preceding calendar month.

SECTION 1387x. 139.38 (2) (b) of the statutes is created to read:

139.38 (2) (b) The department may allow any jobber, multiple retailer or vending machine operator permittee who does not sell cigarettes, except for those on which the tax under this chapter is paid, to file a quarterly report. The quarterly report shall be filed on or before the 15th day of the next month following the close of each calendar quarter. The report shall specify the number of cigarettes purchased and sold during the preceding calendar quarter.

SECTION 1387xm. 139.39 (1) of the statutes is amended to read:

139.39 (1) The secretary department shall administer and enforce ss. 139.30 to 139.44, 139.75 to 139.85 and 134.65. The secretary department shall adopt rules necessary to administer and enforce ~~the secretary's~~ its duties.

SECTION 1387xn. 139.44 (2), (3), (4), (5) and (7) of the statutes are amended to read:

139.44 (2) Any permittee who makes or verifies any false or fraudulent report or who attempts to evade the tax imposed by s. 139.31 or 139.76, or who aids in or abets the evasion or attempted evasion of that tax shall be fined not less than \$1,000 nor more than \$5,000 or imprisoned not less than 90 days nor more than one year or both.

(3) Any permittee who fails to keep the records required by ss. 139.30 to 139.42 or 139.77 to 139.82 shall be fined not less than \$100 nor more than \$500 or imprisoned not more than 6 months or both.

(4) Any person who refuses to permit the examination or inspection authorized in s. 139.39 (2) or 139.83 may be fined not more than \$500 or imprisoned not more than 90 days or both. Such refusal shall be cause for immediate suspension or revocation of permit by the secretary.

(5) Any person who violates any of the provisions of ss. 139.30 to 139.41 or 139.75 to 139.83 for which no other penalty is prescribed shall be fined not less than \$100 nor more than \$1,000 or imprisoned not less than 10 days nor more than 90 days or both.

(7) In addition to the penalties imposed for violation of ss. 139.30 to 139.41 or 139.75 to 139.83 or any of the rules of the department, the permit of any person convicted shall be automatically revoked and he or she shall not be granted another permit for a period of 2 years following such revocation.

SECTION 1387y. Subchapter III of chapter 139 of the statutes is created to read:

SUBCHAPTER III  
TOBACCO PRODUCTS TAX

**139.75 Definitions.** In this subchapter:

(1) "Business" means any trade, occupation, activity or enterprise engaged in for the purpose of selling or distributing tobacco products in this state.

(2) "Consumer" means any person who has title to or possession of tobacco products in storage for use or other consumption in this state.

(3) "Department" means the department of revenue.

(4) "Distributor" means:

(a) Any person engaged in the business of selling tobacco products in this state who brings, or causes to be brought, into this state from outside the state any tobacco products for sale;

(b) Any person who makes, manufactures or fabricates tobacco products in this state for sale in this state; or

(c) Any person engaged in the business of selling tobacco products outside this state who ships or transports tobacco products to retailers in this state to be sold by those retailers.

(5) "Manufacturer" means any person who manufactures and sells tobacco products.

(6) "Place of business" means any place where tobacco products are sold, manufactured, stored or kept for the purpose of sale or consumption, including any vessel, vehicle, airplane, train or vending machine.

(7) "Retail outlet" means each place of business from which tobacco products are sold to consumers.

(8) "Retailer" means any person engaged in the business of selling tobacco products to ultimate consumers.

(9) "Sale" means any transfer, exchange or barter for a consideration. It includes a gift by a person engaged in the business of selling tobacco products for advertising or as a means of evading this subchapter or for any other purpose.

(10) "Storage" means any keeping or retention of tobacco products for use or consumption in this state.

(11) "Subjobber" means any person, other than a manufacturer or distributor, who buys tobacco products from a distributor and sells them to persons other than the ultimate consumers.

(12) "Tobacco products" means cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in

such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but "tobacco products" does not include cigarettes, as defined under s. 139.30 (1).

(13) "Use" means the exercise of any right or power incidental to the ownership of tobacco products.

**139.76 Imposition; exceptions.** (1) An occupational tax is imposed upon the sale, offering or exposing for sale, possession with intent to sell or removal for consumption or sale or other disposition for any purpose on or after October 1, 1981, of tobacco products by any person engaged as a distributor of them at the rate of 20% of the manufacturer's established list price to distributors without diminution by volume or other discounts. The tax applies to distributors' floor stocks in this state at the close of business on September 30, 1981.

(2) Tobacco products sold to or by post exchanges of the U.S. armed forces, to or by federally or state-operated veterans hospitals in this state, and tobacco products sold to an interstate carrier of passengers for hire to be resold to bona fide passengers actually being transported and tobacco products sold for shipment outside this state in interstate commerce are not subject to the tax. The tax imposed by sub. (1) and s. 139.78 shall not apply with respect to any tobacco products which under the constitution and laws of the United States may not be taxed by this state.

**139.77 Distributors, monthly returns.** (1) On or before the 15th day of each month, every distributor with a place of business in this state shall file a return with the department showing the quantity and taxable price of each tobacco product brought, or caused to be brought, into this state for sale; or made, manufactured or fabricated in this state for sale in this state, during the preceding month. Every distributor outside this state shall file a return showing the quantity and taxable price of each tobacco product shipped or transported to retailers in this state to be sold by those retailers during the preceding month. Returns shall be made upon forms furnished and prescribed by the department and shall contain other information that the department requires. Each return shall be accompanied by a remittance for the full tax liability shown.

(2) As soon as practicable after any return is filed, the department shall examine each return and correct it, if necessary, according to its best judgment and information. If the department finds that any amount of tax is due from the taxpayer and unpaid, it shall notify the taxpayer of the deficiency, stating that it proposes to assess the amount due together with interest and penalties. If a deficiency disclosed by the department's examination cannot be allocated to one or more particular months, the department shall notify the taxpayer of the deficiency, stating its intention to assess the amount due for a given period without allocating it to any particular months.

(3) If, within 60 days after the mailing of notice of the proposed assessment, the taxpayer files a protest to the proposed assessment and requests a hearing on it, the department shall give notice to the taxpayer of the time and place fixed for the hearing, shall hold a hearing on the protest and shall issue a final assessment to the taxpayer for the amount found to be due as a result of the hearing. If a protest is not filed within 60 days, the department shall issue a final assessment to the taxpayer. In any action or proceeding in respect to the proposed assessment the taxpayer shall have the burden of establishing the incorrectness or invalidity of any final assessment made by the department.

(4) If any taxpayer required to file any return fails to do so within the time prescribed, the taxpayer shall, on the written demand of the department, file the return within 20 days after the mailing of it and at the same time pay the tax due on its basis. If the taxpayer fails within that time to file the return, the department shall prepare the return from its own knowledge and from the information that it obtains and on that basis shall assess a tax, which shall be paid within 10 days after the department has mailed to the taxpayer a written notice of the amount and a demand for its payment. In any action or

proceeding in respect to the assessment, the taxpayer shall have the burden of establishing the incorrectness or invalidity of any return or assessment made by the department because of the failure of the taxpayer to make a return.

(5) All taxes are due not later than the 15th day of the month following the calendar month in which they were incurred, and thereafter shall bear interest at the annual rate of 12%. If the amount of tax due for a given period is assessed without allocating it to any particular month, the interest shall begin with the date of the assessment.

(6) In issuing its final assessment, the department shall add to the amount of tax found due and unpaid a penalty of 10%, but if it finds that the taxpayer has made a false return with intent to evade the tax, the penalty shall be 50% of the entire tax as shown by the corrected return. In assessing a tax on the basis of a return made under sub. (4), the department shall add to the amount of tax found due and unpaid a penalty of 25%.

(7) The department may recover the amount of any tax due and unpaid, interest and any penalty in a civil action. The collection of the tax, interest or penalty is not a bar to any prosecution under s. 139.85.

**139.78 Use tax.** (1) A tax is imposed upon the use or storage by consumers of tobacco products in this state at the rate of 20% of the cost of the tobacco products. The tax does not apply if the tax imposed by s. 139.76 (1) on the tobacco products has been paid or if the tobacco products are exempt from the tobacco products tax under s. 139.76 (2).

(2) On or before the 15th day of each month, every consumer who during the preceding month has acquired title to or possession for use or storage in this state of tobacco products upon which the tax imposed by s. 139.76 (1) has not been paid shall file a return with the department showing the quantity of tobacco products acquired. The return shall be made upon a form furnished and prescribed by the department and shall contain the information that the department requires. The return shall be accompanied by a remittance for the full unpaid tax liability.

(3) If any return is not filed within the time specified in this section, a penalty of 5% of the tax, with an additional 5% for each additional 30 days or fraction thereof up to a maximum of 25% is imposed, but the penalty for failing to file timely shall not be less than \$10. The department may for good cause shown extend the time for filing the return without penalty.

(4) Sections 139.30 to 139.44 relating to enforcement of the occupational tax imposed by s. 139.31 apply to enforcement of the use tax imposed by this section.

(5) Sections 71.10 (10) (d) to (g), 71.11 (16), (17), (19), (20), (22) and (23), 71.12 to 71.135, 73.01 and 73.015 apply to the administration of this section.

**139.79 Permits; distributor; subjobber.** (1) On and after October 1, 1981, no person may engage in the business of a distributor or subjobber of tobacco products at any place of business without first having obtained a permit from the department to engage in that business at such place. Every application for a permit shall be made on a form prescribed by the department, and the application form shall require the information that is necessary to administer this section.

(2) Section 139.34 (1) (b) to (e), (2) to (4) and (9) applies to the permits under this section.

(3) This section does not apply to persons holding cigarette permits under s. 139.34 (1).

**139.80 Refunds, credits.** If tobacco products upon which the tax has been reported and paid are shipped or transported by the distributor to consumers to be consumed outside the state or to retailers or subjobbers outside the state to be sold by those retailers or subjobbers outside the state or are returned to the manufacturer by the distributor or destroyed by the distributor, the tax may be refunded or credited to the distributor, as

prescribed by the department. Any overpayment of the tax imposed under s. 139.78 may be refunded or credited to the taxpayer, as prescribed by the department.

**139.81 Salespersons.** (1) No person may sell or take orders for tobacco products for resale in this state for any manufacturer or permittee without first obtaining a salesperson's permit from the department. No manufacturer or permittee shall authorize any person to sell or take orders for tobacco products in this state without first having such person secure a salesperson's permit. The fee for the permit is \$2. Each application for a permit shall disclose the name and address of the employer and shall remain effective only while the salesperson represents the named employer. If the salesperson is thereafter employed by another manufacturer or permittee the salesperson shall obtain a new salesperson's permit. Each manufacturer and permittee shall notify the department within 10 days after the resignation or dismissal of any salesperson holding a permit.

(2) Section 139.34 (1) (b) to (e) applies to the permits under this section.

(3) This section does not apply to persons holding permits under s. 139.37.

**139.82 Records, returns.** (1) Every manufacturer located out of the state shall keep records of all sales of tobacco products shipped into this state. Every manufacturer located in this state shall keep records of production, sales and withdrawals of tobacco products. Every distributor shall keep records of purchases and sales of tobacco products. Every subjobber shall keep records of all purchases and disposition of tobacco products. Every warehouse operator shall keep records of receipts and withdrawals of tobacco products. All records shall be accurate and complete and be kept in a manner prescribed by the department. These records shall be preserved on the premises described in the permit for 2 years in such a manner as to ensure permanency and accessibility for inspection at reasonable hours by authorized personnel of the department.

(2) (a) Except as provided in par. (b), every permittee shall render a true and correct invoice of every sale of tobacco products at wholesale and shall on or before the 15th day of each calendar month make a verified report to the department of all tobacco products purchased, sold, received, warehoused or withdrawn during the preceding calendar month.

(b) The department may allow any subjobber permittee who does not sell tobacco products, except for those on which the tax under this subchapter is paid, to file a quarterly report. The quarterly report shall be filed on or before the 15th day of the next month following the close of each calendar quarter. The report shall specify the value of tobacco products purchased and sold during the preceding calendar quarter.

(3) The department shall prescribe reasonable and uniform methods of keeping records and making reports and shall prescribe and furnish the necessary report forms.

(4) If the department finds that the records of any permittee are not kept in the prescribed form or are in such condition that an unusual amount of time is required to determine from them the amount of tax due, the department shall give notice of such fact to that permittee and require that the records be revised and kept in the prescribed form. If that permittee fails to comply within 30 days that permittee shall pay the expenses reasonably attributable to a proper examination and tax determination at the rate of \$30 per day of each auditor. The department shall send a bill for expenses and the permittee shall pay the amount of the bill within 10 days.

(5) If any permittee fails to file a report when due the permittee shall be required to pay a late filing fee of \$10. A report shall be considered filed in time if it is mailed in a properly addressed envelope with first class postage prepaid, if the envelope is officially postmarked on the date due, and if the report is actually received by the department within 5 days of the due date.

(6) Section 71.11 (44) (a) and (c) to (h), relating to confidentiality of income and gift tax returns, applies to any information obtained from any person on a tobacco product tax return, report, schedule, exhibit or other document or from an audit report pertaining to the same.

**139.83 Administration and enforcement.** Section 139.39 applies to the administration of this subchapter.

**139.85 Penalties.** The penalties under s. 139.44 (2) to (7) apply to this subchapter.

SECTION 1389g. 140.05 (17) of the statutes is amended to read:

140.05 (17) In addition to any local license that may be required, the department ~~shall~~ may license and regulate campgrounds and camping resorts, recreational and educational camps, mobile home parks and public swimming pools. No person, state or local government may conduct, maintain, manage or operate a campground and camping resort, recreational camp and educational camp, mobile home park or public swimming pool, as defined by departmental rule, who has not been issued an annual license by the department. A separate license is required for each type of establishment and public swimming pool. Licenses are not transferable from one premise to another or from one person, state or local government to another. ~~The annual nonreturnable and nonprorated license fee under this subsection is \$25 for recreational and educational camps, \$25 for public swimming pools, a graduated fee up to a maximum fee of \$100 for campgrounds and camping resorts and a graduated fee up to a maximum fee of \$100 for mobile home parks. The department shall establish the graduated fees for campgrounds and camping resorts and for mobile home parks by rule.~~ Licenses issued under this subsection expire on June 30. An additional penalty fee of \$10 is required for each license if the annual fee for renewal is not paid prior to expiration of the license. Anyone violating this subsection or any rule of the department under this subsection shall be fined not less than \$25 nor more than \$250. Anyone failing to comply with an order of the department shall forfeit \$10 for each day of noncompliance after the order is served upon or directed to him or her. The department may also, after holding a hearing in conformance with ch. 227, refuse to issue a license or suspend or revoke a license for violation of this subsection or any rule or order the department issues to implement this subsection. The annual nonreturnable and non-prorated license fees under this subsection are as follows: [See Figure 140.05 (17) following]

SECTION 1389r. 140.05 (17) (Figure) of the statutes is created to read:

Figure: 140.05 (17)

Establishment	Annual license fee
Public swimming pool	\$45
Recreational and educational camp	45
Campground, camping resort or mobile home park	
With 1 to 25 sites	18
With 26 to 50 sites	36
With 51 to 100 sites	54
Over 100 sites	72

SECTION 1390. 140.05 (19) of the statutes is repealed.

~~SECTION 1390m. 140.85 (3) (a) of the statutes is amended to read:  
140.85 (3) (a) The central state hospital, university of Wisconsin hospital and clinics under ch. 142 and health care facilities under ss. 45.365, 48.62, 51.05, 51.06 and 149.06, and ch. 142 are exempt from this section.~~

~~SECTION 1390v. Chapter 142 (title) of the statutes is amended to read:  
CHAPTER 142  
UNIVERSITY OF WISCONSIN HOSPITAL AND CLINICS  
MILWAUKEE COUNTY HOSPITAL AND CLINICS~~

~~SECTION 1391a. 142.01 of the statutes is amended to read:~~

Vetoed  
in Part

~~142.01 Public patients. (1) A person having a legal settlement in any county in this state or a state dependent under s. 49.04 who is physically disabled or ailing and whose condition can probably be remedied or advantageously treated, if he or she or the person liable for his or her support is financially unable to provide proper treatment, may be treated at the university of Wisconsin hospital and clinics, the Milwaukee county hospital and clinics or in such other hospital or rehabilitation camp as the county director of public welfare directs, except that when the person to be treated, or his or her guardian if he or she is under guardianship, selects that such treatment be at the university of Wisconsin hospital and clinics or, the Milwaukee county hospital and clinics or at a rehabilitation camp, the hospital or rehabilitation camp of his or her selection shall be the place of treatment. The right of such selection shall not exist in counties having a population of 500,000 or more. The right of treatment at university of Wisconsin hospital and clinics and at the Milwaukee county hospital and clinics shall not exist for persons whose annual family incomes and economic resources are in excess of medical assistance limitations for the medically needy under s. 49.47 (4) (b) and (c), unless in the opinion of the county director of public welfare or social services special circumstances exist to warrant an exception. If the family income is in excess and, in the opinion of the director, special circumstances do not exist, the person shall have the right of treatment at university of Wisconsin hospital and clinics and at the Milwaukee county hospital and clinics after the person has incurred or expended at least 50% of the excess income or medical care or for any other type of remedial care recognized under the state law or for personal health insurance premiums, or both. The director shall inform the hospital of the amount of the family's annual excess income as determined by the director. The hospital shall collect 50% of the amount of the annual excess income from the patient. The hospital shall submit a bill to the state for the amount over and above 50% of the amount determined as annual excess income.~~

~~(2) Before a child under 21 years of age requiring orthopedic or plastic surgery or care is treated at the university of Wisconsin hospital and clinics or at the Milwaukee county hospital and clinics, application for approval for admission to the hospital shall first be submitted to the division for handicapped children of the department of public instruction.~~

~~(3) A person who is a recipient of categorical aids under ch. 49 may be placed in the university of Wisconsin hospital and clinics or in the Milwaukee county hospital and clinics by the county director of public welfare or social services, and the costs as may accrue thereby shall be shared as provided in s. 142.08.~~

~~SECTION 1391c. 142.03 (1) of the statutes is amended to read:~~

~~142.03 (1) The application shall contain a full statement of the financial situation of the person including a determination of the person's eligibility for medical assistance under s. 49.45, and a general statement of his or her physical condition, and shall be verified. The county director of public welfare or social services, or any person he or she designates, shall make investigation and the supervisor for the district containing the town, village or ward of the legal settlement or if none, the residence of the person, or where found, shall supply to the director, on request, all material information within his or her knowledge and no compensation or expense may be paid or allowed by the county to any supervisor supplying the material information. If an application is submitted to a director for hospitalization of a physically disabled child under s. 142.02, the director shall submit a request for approval on blanks, supplied for the purpose, to the division for handicapped children of the department of public instruction. The division for handicapped children shall report its approval of the request to the director and to the university of Wisconsin hospital and clinics or to the Milwaukee county hospital and clinics. It shall also send notice to the director as to when the hospital can admit the child.~~

~~SECTION 1391e. 142.04 (1) of the statutes is amended to read:~~

~~142.04 (1) If the county director of public welfare or social services is satisfied that the required facts exist and that the person should be treated at the university of Wisconsin hospital and clinics or at the Milwaukee county hospital and clinics, or if the person to be treated, or the guardian if the person is under guardianship, selects the hospital as the place of treatment, the director shall so find and enter an order so directing except as provided in s. 142.01 (2). If the director finds the required facts and that the person can receive adequate treatment at home or in a hospital, at the same or less expense to the county, and the person to be treated does not make the selection, the director shall enter an order directing the treatment, the place thereof, and the physician or physicians. If the director is not so satisfied, he or she may make further investigation. If the director does not find the required facts, he or she shall enter an order denying the application. If the director denies the application of a child under 21 years, applying for care at the university of Wisconsin hospital and clinics or at the Milwaukee county hospital and clinics, he or she shall report the findings to the division for handicapped children of the department of public instruction. Upon granting the application, he or she shall ascertain from the superintendent of the hospital or from the administrator of Milwaukee county hospital and clinics whether the person can be received as a patient and if so the director shall certify the order to the hospital and to the county clerk and in addition, if a state dependent, to the department. The procedure for admission of children under 21 years into the hospital is governed by s. 142.03 (1).~~

SECTION 1391g. 142.06 of the statutes is amended to read:

~~142.06. Discharge of patients. When the superintendent of the hospital or the administrator of Milwaukee county hospital and clinics or the attending physician is of the opinion that a county or state dependent patient is cured, or no longer needs treatment, or cannot benefit thereby, he or she shall discharge the patient. The county director of public welfare or social services in case of treatment in the county may discharge the patient if satisfied as to the facts. If the patient is unable to travel alone, and provision therefor has not been made under s. 142.05, the superintendent or administrator or physician shall notify the director who shall appoint some suitable person to bring the patient back. The person shall receive expenses and compensation as provided in s. 142.05.~~

SECTION 1391j. 142.07 (1) (intro.) and (a) of the statutes are amended to read:

~~142.07 (1) RATES. (intro.) The university of Wisconsin hospital and clinics and the Milwaukee county hospital and clinics shall treat patients so admitted at rates computed in the following manner:~~

~~(a) Room rate; private patients. The superintendent shall establish of the university of Wisconsin hospital and clinics with the approval of the board of regents, or the administrator of the Milwaukee county hospital and clinics with the approval of the board of public welfare of Milwaukee county shall establish a schedule of room rates for private patients which may be adjusted by the superintendent with the approval of the board of regents or by the administrator with the approval of the board of public welfare of Milwaukee county to meet changes in the cost of operation. As used in this section "room rates" includes the charges for meals and for ordinary nursing care.~~

SECTION 1391m. 142.07 (1) (b) of the statutes is amended to read:

~~142.07 (1) (b) Room rates; public patients. The board of regents and the board of public welfare of Milwaukee county shall establish, with the approval of the joint committee on finance, a schedule of room rates for public patients. Requests for the approval of room rates shall be considered as are requests for supplemental appropriations under s. 14.101 (5) and (6) at the university of Wisconsin hospital and clinics and at the Milwaukee county hospital and clinics, respectively.~~

SECTION 1392a. 142.07 (1) (c) of the statutes is amended to read:



~~142.07 (1) (c) Ancillary services. All services provided except those covered by the room rate shall be charged for in accordance with a schedule established and maintained for public inspection by the university of Wisconsin hospital and clinics and by the Milwaukee county hospital and clinics.~~

~~SECTION 1392b. 142.07 (1) (d) of the statutes is amended:~~

~~142.07 (1) (d) Public patients; county share. The amount charged back to counties for public patients under pars. (b) and (c) shall be one-half the actual net cost of care for each patient. If the appropriation under s. 20.855 (3) (a) in any year is insufficient to pay this amount, state payments charged back to counties shall be prorated on a uniform basis according to the net cost of care for each patient. The county share for outpatient care shall be determined in the same manner the remaining actual net cost of care for each patient.~~

~~SECTION 1392c. 142.07 (2) (a) of the statutes is amended to read:~~

~~142.07 (2) (a) Payments made by patients shall be credited to their accounts. A patient may be admitted to the university of Wisconsin hospital and clinics or the Milwaukee county hospital and clinics without certificate, but the cost of his or her care shall not be a joint charge against the state and county wherein the patient has a legal settlement or residence or was found, except when the patient is admitted in an emergency pending action of the county director of public welfare or social services. If the director grants the application, the charge against the state and the county shall date from the admission. An emergency shall include cases where, by reason of unforeseen physical conditions, a patient is detained in the hospital longer than anticipated and is thereby financially unable to bear the expense of treatment.~~

~~SECTION 1392e. 142.07 (3) of the statutes is amended to read:~~

~~142.07 (3) INDIAN CHILDREN. Indian children whose hospital care is to be paid from funds granted the office of Indian affairs, U.S. department of interior, shall be admitted to the university of Wisconsin hospital and clinics or to the Milwaukee county hospital and clinics at the same rates as are charged for children hospitalized through application to the county director of public welfare or social services. The procedure for admission of the Indian children shall be identical to the procedure for children admitted to the hospital upon application to the county director of public welfare or social services.~~

~~SECTION 1392g. 142.07 (4) of the statutes is amended to read:~~

~~142.07 (4) CHARGES MADE TO PUBLIC PATIENTS. No compensation shall may be charged against or received from any public patient by any officer of or person employed by the hospital other than the compensation provided by the board of regents of the university of Wisconsin system or by the board of public welfare of Milwaukee county.~~

~~SECTION 1392i. 142.08 (1), (1m), (1r), (2), (3), (4) and (6) of the statutes are amended to read:~~

~~142.08 (1) The net cost of caring for a patient certified to the university of Wisconsin hospital and clinics or to the Milwaukee county hospital and clinics shall be paid one-half by the state and one-half by the county of his the patient's legal settlement or of which he the patient is a county-at-large charge as provided by sub. (4). The cost of caring for a state dependent patient shall be borne wholly by the state.~~

~~(1m) One-half of the net cost of caring for a patient certified to the hospital shall be paid by the state and one-half by the county of his or her legal settlement or of which he or she is a county-at-large charge except if the appropriation under s. 20.855 (3) (a) in any year is insufficient to provide the state's share of the payment, in which case state payments shall be prorated on a uniform basis according to the net cost of care for each patient. The cost of caring for a state dependent person shall be borne wholly by the state. At the time that the application for admittance of a patient to the hospital is submitted to~~

the division for handicapped children, the county director of public welfare shall include a statement regarding the financial status of the parents or guardian and an agreement signed by the parents or guardian as to the amount of money which the parents or guardian will contribute toward the child's care in the hospital. All money so collected by the director or the hospital from parents or guardians shall be credited to the patient's account with the hospital. Financial arrangements for hospital care of children admitted by the director shall be made with parents or guardians of the children only by the director, or by an agent designated by him or her, or by the division for handicapped children of the department of public instruction, with the knowledge of the director.

(1r) No payment shall be made under the public patient program for services that are otherwise covered by medical assistance, other medical aid programs, medicare, commercial health insurance or other 3rd party payers. Recovery from liable 3rd parties is the responsibility of the superintendent of university of Wisconsin hospital and clinics or of the administrator of the Milwaukee county hospital and clinics. Notwithstanding any other statute, payments made by 3rd party payers for a patient shall be credited to that patient's account at the hospital. The hospital shall submit a net bill to the state after all credits have been accounted for.

(2) The board of regents of the university of Wisconsin system and the board of public welfare of Milwaukee county shall file a verified monthly report with the department of administration, containing an itemized statement of the account against each such patient, naming the county in which he the patient has legal settlement or of which he the patient is a county-at-large charge, or if he the patient is a state dependent, a statement of that fact. At 6-month intervals, the department of administration shall audit the same and issue:

(a) Promptly issue a prorated credit for charges submitted by the university of Wisconsin hospital and clinics to the appropriation made by s. 20.285 (1) (kb) for the proper amount, and

(b) Promptly issue a prorated payment to the Milwaukee county hospital and clinics for the amount of charges submitted from the appropriation under s. 20.855 (3) (a).

(3) On or before October first 1 in each year the board of regents and the board of public welfare of Milwaukee county shall file with the department of administration a statement setting forth in detail the account of each certified patient during the fiscal year ended on June thirtieth next preceding ending on the preceding June 30.

(4) The department of administration shall certify to each county one-half the amount paid by the state under s. 142.07 (1) (d) for each public patient from that county except state dependents certified to the hospital.

(6) All cooperative arrangements regarding the hospitalization of children admitted to university of Wisconsin hospital and clinics or to the Milwaukee county hospital and clinics which are carried on by the university of Wisconsin hospital and clinics or by the Milwaukee county hospital and clinics and the division for handicapped children, department of public instruction, shall be carried on pursuant to a written agreement made between the hospital and the division.

\*SECTION 1392jm. 142.10 (3) of the statutes is amended to read:

142.10 (3) The superintendent of the university of Wisconsin hospital and clinics shall determine the financial status of a Wisconsin veteran who applies for benefits under this section. Such determination shall only consider benefits which would accrue to the veteran because of hospitalization insurance the veteran may carry. Based on these findings the superintendent shall authorize reductions in the total cost of care to the veteran. Such reductions shall be limited so that as a minimum the veteran shall pay a daily rate of one-

\* This SECTION listed as disapproved in governor's veto message but text not vetoed. See 70 O.A.G. 189 (1981).

half the average daily cost permitted under s. 142.07 (1) (a) or (b) and (c) for the prior 6-month period ending June 30, and December 31. The adjustment of charges based on the 6-month period ending June 30 shall be made on September 1, and the adjustment of charges based on the 6-month period ending December 31 shall be made on March 1. The adjustment in charges shall be in effect for all patient bills prepared until the following adjustment. If such veteran elects to be admitted to said hospital as a private patient the veteran shall be liable for all professional fees incurred, but shall be eligible for benefits under this section for hospital care. In determining the veteran's share of the cost of care, the superintendent shall first apply all insurance and third-party payments to the total cost and apportion any remaining costs equally between the veteran and the state. ~~Prior to July 1, 1976, the portion of the costs paid by the state under this section shall be paid from the appropriation under s. 20.285 (1) (b) and on and after July 1, 1976, such portion of costs~~ The portion of costs paid by the state shall be paid from the appropriation under s. 20.485 (2) (vm) to the university of Wisconsin system as provided under s. 20.285 (1) (kb).

Vetoed  
in Part

~~SECTION 1392k. 142.11 of the statutes is amended to read:  
142.11 Subject to chapter 150. The university of Wisconsin hospital and clinics is and the Milwaukee county hospital and clinics are subject to ch. 150.~~

SECTION 1394g. 144.24 (1) of the statutes, as affected by chapter 1, laws of 1981, is amended to read:

144.24 (1) LEGISLATIVE INTENT. The legislature finds that state financial assistance for ~~the~~ facility planning, design, engineering design and construction of point source pollution abatement facilities is a public purpose and a proper state government function in that the state is the trustee of the waters of the state and that this financial assistance is necessary to protect the purity of state waters. In order that ~~the~~ facility planning, design, engineering design and construction of point source pollution abatement facilities necessary to the protection of state waters be encouraged, a state program of assistance to municipalities for the financing of these ~~facilities~~ activities is established. The legislature further finds that in order for the construction of point source pollution abatement facilities to proceed in an expeditious manner it is appropriate to meet the costs through the issuance of public debt, extending the financial obligation incurred over a generation of beneficiaries of these facilities.

SECTION 1394r. 144.24 (4) (c) 1 of the statutes, as affected by chapter 1, laws of 1981, is amended to read:

144.24 (4) (c) 1. Every applicant seeking grants for construction purposes under this section shall complete a staged facility planning, engineering design and environmental analysis sequence developed by the department. The department shall model the required sequence after the staged planning, design and environmental analysis sequence under title II of the federal act.

SECTION 1395m. 144.24 (4) (c) 4 of the statutes is created to read:

144.24 (4) (c) 4. Engineering design cost grants made from the appropriation under s. 20.866 (2) (tn) shall be awarded at the time a construction grant is awarded and may be awarded only if an advance commitment for reimbursement is made under sub. (9m).

SECTION 1396g. 144.24 (9) (title) of the statutes is amended to read:

144.24 (9) (title) ADVANCE COMMITMENTS FOR REIMBURSEMENT FROM FUTURE APPROPRIATIONS.

SECTION 1396r. 144.24 (9) (b) 2 of the statutes is amended to read:

144.24 (9) (b) 2. To communities successfully completing all facility planning and engineering design requirements.

SECTION 1397m. 144.24 (9) (c) of the statutes, as affected by chapter 1, laws of 1981, is amended to read:

144.24 (9) (c) The maximum amount of state assistance the department may commit in each fiscal year for future reimbursement under this subsection is 110% of the sum of the amounts in the schedule for that fiscal year for the appropriations under ss. 20.370 (4) (kc) and 20.866 (2) (tn).

SECTION 1398m. 144.24 (9m) of the statutes is created to read:

144.24 (9m) **ADVANCE COMMITMENTS FOR REIMBURSEMENT OF ENGINEERING DESIGN COSTS.** The department may make an advance commitment to a municipality for the reimbursement of engineering design costs from funds appropriated under s. 20.866 (2) (tn) subject to all of the following requirements:

(a) The advance commitment shall include a provision making the reimbursement of engineering design costs conditional on the award of a construction grant.

(b) The advance commitment may be made only for engineering design activities commenced after the department makes the advance commitment.

(c) The advance commitment may be made only if the municipality has completed all facility planning requirements.

(d) The advance commitment may be made only for engineering design projects and costs which are eligible under sub. (4) (a), (b) and (c) 3.

(e) The advance commitment shall be subject to a priority determination system consistent with sub. (6).

SECTION 1399m. 144.24 (10) of the statutes, as created by chapter 1, laws of 1981, is amended to read:

144.24 (10) **APPROPRIATION INCREASES.** The total of the amounts in the schedule for the appropriations under ss. 20.370 (4) (kb) and (kc) and 20.866 (2) (tn) in each fiscal year beginning in 1981-82 up to and including ~~1987-88~~ 1986-87 shall equal ~~\$79,860,000~~ \$77,464,200 plus 10% compounded annually thereafter.

SECTION 1399r. 144.242 of the statutes is created to read:

**144.242 Financial assistance program; combined sewer overflow abatement.** (1) **LEGISLATIVE FINDINGS.** The legislature finds that state financial assistance for the elimination of combined sewer overflow to the waters of the state is a public purpose and a proper function of state government.

(2) **DEFINITIONS.** As used in this section:

(a) "Combined sewer" means a sewer intended to serve as a sanitary sewer and a storm sewer or as an industrial sewer and a storm sewer.

(b) "Combined sewer overflow" means a discharge of a combination of storm and sanitary wastewater or storm and industrial wastewater directly or indirectly to the waters of the state when the volume of wastewater flow exceeds the transport, storage or treatment capacity of a combined sewer system.

(c) "Facilities plan" means that plan or study which demonstrates the need for the proposed sewerage system or sewerage system component and which demonstrates through a systematic evaluation of alternatives that the selected alternative is the most cost-effective means of correcting combined sewer overflows.

(d) "Federal act" means the federal water pollution control act, as amended, 33 USC 1251 to 1376.

(3) **ADMINISTRATION.** The department shall administer the combined sewer overflow abatement financial assistance program. The department shall promulgate rules necessary for the proper execution of this program.

(4) **ELIGIBILITY.** (a) *Eligible municipalities.* Only a municipality with a sewerage system which is violating ch. 147 or title III of the federal act because of combined sewer overflow is eligible to receive financial assistance under the combined sewer overflow abatement financial assistance program.

(b) *Eligible projects.* Only a project for construction necessary to abate combined sewer overflows identified in department-approved facilities plans as cost-effective and reasonably necessary for water quality improvements is eligible for financial assistance under the combined sewer overflow abatement financial assistance program.

(c) *Facility planning; engineering design.* Only a municipality which has completed facility planning and engineering design requirements for a combined sewer overflow abatement project is eligible to receive financial assistance under the combined sewer overflow abatement financial assistance program.

(5) **APPLICATION.** A municipality which seeks financial assistance under the combined sewer overflow abatement financial assistance program shall submit an application to the department. The application shall be in the form and include the information the department prescribes by rule. The department shall review all applications for financial assistance under this program. The department shall determine those applications which meet the eligibility requirements of this section.

(6) **PRIORITY.** Each municipality shall notify the department of its intent to apply for financial assistance under the combined sewer overflow abatement financial assistance program. For those municipalities that notify the department of their intention to apply for financial assistance under this program by December 31, the department shall establish annually a priority list which ranks these projects in the same order as they appear on the list prepared under s. 144.24 (6) (a).

(7) **PAYMENT.** Upon the completion by the municipality of all application requirements, the department may enter into an agreement with the municipality for a grant of up to 50% of the eligible construction costs of a combined sewer overflow abatement project if the municipality can begin construction within 3 months after the department is ready to allocate funds.

**SECTION 1400.** 144.25 (3) (b) 1 of the statutes is repealed.

**SECTION 1401.** 144.25 (3) (b) 2 and 3 of the statutes are renumbered 144.25 (3) (b) 1 and 2, respectively.

**SECTION 1401m.** 144.251 of the statutes is created to read:

Vetoed  
in Part

~~144.251 Watershed projects. The department shall assist and advise the department of agriculture, trade and consumer protection regarding watershed projects under 16 USC 1001 to 1008.~~

**SECTION 1423m.** 144.95 of the statutes is repealed.

**SECTION 1441b.** 145.01 (8) of the statutes is amended to read:

145.01 (8) **AUTOMATIC FIRE SPRINKLER SYSTEM.** An automatic fire sprinkler system, for fire protection purposes, is an integrated system of underground and overhead piping designed in accordance with fire protection engineering standards. The system includes a suitable water supply, such as a gravity tank, fire pump, reservoir or pressure tank or connection beginning at the building supply side of an approved check gate valve or approved backflow preventing device located at or near the property line where the pipe or piping system provides water used exclusively for fire protection and related appurtenances and to standpipes connected to automatic sprinkler systems. The portion of the sprinkler system above ground is a network of specially sized or hydraulically designed piping installed in a building, structure or area, generally overhead, and to which sprinklers are connected in a systematic pattern. The system includes a controlling valve and a device for actuating an alarm when the system is in operation. The system is usually activated by heat from a fire and discharges water over the fire area.

SECTION 1441f. 145.08 (1) (Lm) and (nm) of the statutes are created to read:

145.08 (1) (Lm) For an automatic fire sprinkler — maintenance only registration, \$100 and \$100 for each renewal of registration if application is made prior to January 1, annually; after that date an additional fee of \$25.

(nm) For an automatic fire sprinkler fitter — maintenance only registration certificate, \$15 for and \$15 for each renewal of registration if application is made prior to January 1, annually; after that date an additional fee of \$10.

SECTION 1441k. 145.12 (1) of the statutes is amended to read:

145.12 (1) Any person, ~~firm or corporation~~ who engages in or follows the business or occupation of, or advertises or holds himself or itself out as or acts temporarily or otherwise as a master plumber or, as an automatic fire sprinkler contractor or as a business establishment holding an automatic fire sprinkler — maintenance only registration certificate without first having secured the required license or ~~permit certificate~~, or who otherwise violates any provisions of this chapter, shall be fined not less than ~~\$10~~ \$100 nor more than ~~\$100~~ \$500 or imprisoned for 30 days or both. Each day such violation continues shall be a separate offense.

SECTION 1441n. 145.15 (4) of the statutes is created to read:

145.15 (4) No person may install automatic fire sprinkler systems unless licensed or registered to do so by the department. Licenses and registrations pertaining to automatic fire sprinkler systems are not transferable.

SECTION 1441s. 145.165 of the statutes is created to read:

**145.165 Automatic fire sprinkler fitter — maintenance only registration.** (1) An automatic fire sprinkler fitter — maintenance only registration certificate is required for any person who is employed to maintain automatic fire sprinkler systems by a business establishment registered under s. 145.175. The department shall, by rule, specify the requirements for issuing an automatic fire sprinkler fitter — maintenance only registration certificate and specify the activities in which a person holding a certificate under this section may engage.

(2) This section does not apply to any person registered under s. 145.16 or licensed under s. 145.17 (2).

SECTION 1441w. 145.175 of the statutes is created to read:

**145.175 Automatic fire sprinkler — maintenance only registration.** An automatic fire sprinkler — maintenance only registration certificate is required before any business establishment may maintain or repair existing automatic fire sprinkler systems in its physical facilities. The department shall, by rule, specify the qualifications for issuing an automatic fire sprinkler — maintenance only registration certificate. The department shall, by rule, specify the activities in which a person holding a registration certificate under this section may engage.

SECTION 1441y. 145.18 of the statutes is amended to read:

**145.18 Temporary permits.** The department ~~shall~~ may issue temporary permits to journeymen automatic fire sprinkler system fitters or to automatic fire sprinkler ~~system~~ contractors pending examination of applicants for licenses. The department may also issue temporary permits to applicants for automatic fire sprinkler — maintenance only registration certificates. The department shall, by rule, prescribe the procedure for issuing these permits. Examination fees shall be paid at the time the permit is issued.

SECTION 1444. 146.60 (2) (c) of the statutes is amended to read:

146.60 (2) (c) “Contract” means the policies and procedures governing the hospital rate review program, ~~which agreement is mutually based involving as determined by mutual agreement of the Wisconsin hospital association, associated hospital services, and the department of health and social services.~~

SECTION 1445. 146.61 of the statutes is repealed.

SECTION 1446. 149.06 (7) of the statutes is amended to read:

149.06 (7) Drugs necessary for the treatment of tuberculosis may be purchased by the department utilizing the appropriation under s. 20.435 (1) (e) and dispensed to patients through the public health dispensaries on a basis not to exceed the costs of such drugs and reasonable handling charges. ~~Drugs required in quantity may be made available to the dispensaries through the department of administration on a cost basis or through health care providers, as defined in s. 146.81 (1).~~

SECTION 1447. 150.001 (6) of the statutes is amended to read:

150.001 (6) "Health care institutions" include hospitals, psychiatric hospitals, tuberculosis hospitals, nursing homes, kidney disease treatment centers, including free-standing hemodialysis units, ambulatory surgical facilities, health maintenance organizations, community-based residential facilities for more than 20 persons that are certified as medical assistance providers under s. 49.45 (16) or that otherwise meet the requirements for certification, home health agencies and other comparable facilities. "Health care institutions" do not include facilities operated solely as part of the practice of an independent practitioner, partnership, unincorporated medical group or service corporation as defined in s. 180.99.

SECTION 1448. 150.001 (13) of the statutes is amended to read:

150.001 (13) "Substate health planning agency" means a public or private nonprofit agency ~~which meets the requirements of P.L. 93-641, and~~ which has been designated as a health systems agency under 42 USC 300L.

SECTION 1449. 150.004 of the statutes is amended to read:

**150.004 Injunctions.** Notwithstanding the existence ~~of~~ or pursuit of any other remedy, the department may, upon the advice of the attorney general, maintain an action in the name of the state in the circuit court for injunction or other process against any person to restrain or enjoin the violation of this chapter or rules adopted under this chapter.

SECTION 1449m. 150.01 (1) (a) of the statutes is amended to read:

150.01 (1) (a) "Capital expenditure" means an expenditure by or on behalf of a health care institution which, under generally accepted accounting principles, is not properly chargeable as an expense of operation and maintenance and which exceeds ~~\$117,000~~ \$150,000 if health-related or ~~\$150,000~~ \$164,000 if nonhealth-related. "Nonhealth-related expenditures" means expenditures for parking facilities; alteration or addition of plumbing, heating, cooling or electrical systems; and projects limited to nonpatient areas, such as gift shops, public waiting areas, cafeterias, dietary departments, central supply, maintenance, storage areas, medical libraries, chapels, laundries, housekeeping departments, medical records, classrooms, meeting rooms, administrative offices and such other projects as the department determines, by rule, to be nonhealth-related.

SECTION 1450. 150.01 (1m) of the statutes is amended to read:

150.01 (1m) "Certificate of need" means a written authorization by the department for a person to implement the project under review, specifying a maximum capital expenditure that may be obligated under the certificate.

SECTION 1451. 150.01 (3) of the statutes is amended to read:

150.01 (3) "Institutional health services" mean health services provided in or through health care institutions and includes the entities in or through which services are provided, and that incur an annual operating cost of \$75,000 or more.

SECTION 1452. 150.01 (6) (intro.) of the statutes is renumbered 150.01 (6) and amended to read:

150.01 (6) "Substantial and continuing progress" means: adherence to the applicant's proposed timetable, as approved by the department under s. 150.10.

SECTION 1453. 150.01 (6) (a) to (c) of the statutes are repealed.

SECTION 1453m. 150.02 (1) (d) of the statutes is amended to read:

150.02 (1) (d) An expenditure, not covered by par. (b), of more than ~~\$117,000~~ \$150,000 for a single piece of clinical equipment, or of more than ~~\$150,000~~ \$164,000 for 2 or more pieces of related clinical equipment, if there is an expenditure for one of the pieces of more than \$100,000. Two or more pieces of clinical equipment that can perform their normal functions only when used simultaneously or when connected to each other constitute a single piece of equipment for purposes of this subsection. Pieces of equipment are related if the diagnostic or therapeutic services provided with the equipment are normally provided to the same individual as a clinical service.

SECTION 1454. 150.02 (1m) of the statutes is repealed.

SECTION 1454g. 150.02 (2) (a) of the statutes is amended to read:

150.02 (2) (a) An expenditure for a single piece of clinical equipment of more than ~~\$117,000~~ \$150,000, or

SECTION 1454r. 150.02 (2) (b) of the statutes is amended to read:

150.02 (2) (b) An expenditure for clinical equipment which exceeds ~~\$150,000~~ \$164,000 for 2 or more pieces of related equipment, if there is an expenditure for one of the pieces of more than \$100,000. Two or more pieces of clinical equipment that can perform their normal functions only when used simultaneously or when connected to each other constitute a single piece of equipment for purposes of this subsection. Pieces of equipment are related if the diagnostic or therapeutic services provided with the equipment are normally provided to the same individual as a clinical service.

SECTION 1455. 150.02 (4) (intro.) of the statutes is amended to read:

150.02 (4) (intro.) The department shall, if permitted by the secretary of health, ~~education and welfare~~ and human services, exempt from the formal review requirements, projects which meet the criteria listed below. All requests for such a nonsubstantive review by the applicant or the substate health planning agency must be made in writing to the department. The department, after consultation with the appropriate substate health planning agency, shall make a determination within 15 days after receipt of a written request. The department shall issue a certificate on all approved projects declared nonsubstantive within 20 days of this determination. A project which is determined to be subject to review shall be declared nonsubstantive if it meets one of the following criteria:

SECTION 1456. 150.02 (5) of the statutes is amended to read:

150.02 (5) The department may promulgate by rule additional criteria which, if approved by the secretary of health, ~~education and welfare~~ and human services, may be used to declare a project nonsubstantive.

SECTION 1457. 150.02 (6) of the statutes is created to read:

150.02 (6) A project that has received a certificate of need is subject to additional review for the amount exceeding the maximum capital expenditure if the department expects the excess amount to be:

(a) More than \$150,000 for any project under \$1,500,000;

(b) More than 10% of the project's cost for any project between \$1,500,000 and \$5,000,000; or

(c) More than \$500,000 for projects over \$5,000,000.

SECTION 1458. 150.025 of the statutes is created to read:



**150.025 Exemptions.** (1) If the department grants an exemption under sub. (2), a certificate of need is not required to offer any inpatient institutional health service, to acquire clinical equipment or to incur an obligation of a capital expenditure in order to provide an inpatient institutional health service in any of the following situations:

(a) By any health maintenance organization or combination of health maintenance organizations in which at least 50,000 persons, residing in the service area, are enrolled, if:

1. The facility in which the service will be provided is reasonably accessible to these persons; and
2. The department reasonably expects that these persons will constitute at least 75% of the persons using the service.

(b) By any health care institution that primarily provides inpatient health services or will primarily provide inpatient health services, if any health maintenance organization or combination of health maintenance organizations:

1. Controls or will control the health care institution; and
2. Meets the requirements listed in par. (a).

(c) By any health care institution or part of a health care institution, if any health maintenance organization or combination of health maintenance organizations:

1. Leases or will lease the health care institution and at least 15 years remain before the lease expires; and
2. Meets the requirements listed in par. (a).

(2) The department shall grant an exemption from the certificate of need requirements if:

(a) It receives an application for exemption within the time limits and in the form the department prescribes;

(b) The applicant submits a copy of the application required under par. (a) to the appropriate substate health planning agency and the department receives comments from the substate health planning agency; and

(c) The application contains all the information the department needs to determine if the requirements of sub. (1) are met. The department may grant an exemption to a health care institution or part of a health care institution that has not begun to provide institutional health services on the date the application is submitted, if the health care institution meets the requirements listed in sub. (1) (b) or (c) on the date it begins to provide the institutional health service.

(3) No person who has received an exemption under sub. (1) may convey a controlling interest in the project exempted, unless:

- (a) The department issues a certificate of need approving the conveyance; or
- (b) The department determines, upon application, that:

1. A health maintenance organization or combination of health maintenance organizations, meeting the requirements listed in sub. (1) (a), is acquiring the controlling interest; or

2. The interest being acquired is in a health care institution that primarily provides or will provide inpatient health services and the interest is being acquired by a health maintenance organization or combination of health maintenance organizations in which at least 50,000 persons, residing in the service area, are enrolled.

(4) A health maintenance organization, or an ambulatory surgical facility or health care institution controlled by a health maintenance organization or combination of health maintenance organizations is only required to obtain a certificate of need prior to offering inpatient institutional health services, acquiring clinical equipment whose cost exceeds the limits stated in s. 150.02 (1) (d) or incurring an obligation of capital expenditures in

order to offer inpatient institutional health services. If the offering, acquisition or obligation is exempt under sub. (1), this subsection does not require a certificate of need.

(5) (a) The department shall approve an application for a certificate of need from any health maintenance organization or from a health care institution that is controlled by a health maintenance organization, if:

1. Approval is necessary to meet the needs of members of the health maintenance organization and of members that can reasonably be expected to enroll; and
2. The health maintenance organization is unable to provide reasonable and cost effective institutional health services on a long-term basis, in a manner consistent with the basic operation of the organization.

(b) Section 150.07 does not apply to certificate of need applications under this subsection.

(6) (a) The department may refuse to issue a certificate of need for any of the following capital expenditures only if the project is not needed or if the project is inconsistent with either the state health plan or a plan developed under s. 150.055 (3) (b):

1. To eliminate or prevent imminent code violations or safety hazards, submitted under s. 150.02 (4) (b) or (c).
2. To comply with licensing requirements under subch. I or II of ch. 50.
3. To comply with any accreditation standards that are prerequisite to receiving federal health insurance payments for the aged and disabled under 42 USC 1395 to 1395rr, federal medical assistance payments under 42 USC 1396 to 1396k or state medical assistance payments under ss. 49.43 to 49.495.

(b) Section 150.07 does not apply to certificate of need applications under this subsection.

(7) Any person intending to acquire an existing health care institution shall notify the department in writing of this intent at least 30 days before contracting to acquire the institution. The notice shall state the services to be offered in the institution and the institution's bed capacity. No certificate of need is required to acquire the institution unless the department makes a written finding, within 30 days after receiving notice of the intent to acquire, that the acquisition will change the services offered or the institution's bed capacity.

(8) The department shall, by rule, specify the method by which to determine if a health care institution is or will be primarily providing inpatient health services or is or will be controlled or leased by a health maintenance organization under sub. (1) (b) or (c).

SECTION 1458m. 150.035 of the statutes is created to read:

**150.035 Projects operating without a certificate of need.** Depreciation, interest or principal repayments and all operating expenses associated with any project subject to review under s. 150.02, but which has no certificate of need, may not be recovered through the charges or rates of the health care institution. No payer may recognize or pay these costs.

SECTION 1459. 150.05 (2) of the statutes is amended to read:

150.05 (2) The department shall prescribe the form to be used in applying for certificates of need and for applying for renewal, modification or amendment. The department shall consult with the substate health planning agencies and appropriate governmental and affected parties prior to prescribing the form of the application. A statement of the applicable rules and procedures to be followed in the review of an application shall be issued with each application form. The department may require no information under this section which is not prescribed and published as being required information.

SECTION 1460. 150.055 of the statutes is created to read:

**150.055 Moratorium on major construction applications.** (1) Neither the department nor any substate health planning agency may accept any application for a certificate of need submitted by or on behalf of a hospital for a lease, any construction, purchase or the provision of a new service that requires a capital expenditure exceeding \$1,000,000, prior to July 1, 1983, or the enactment of the 1983-85 biennial budget bill, whichever occurs later.

(2) Neither the department nor any substate health planning agency may accept any application for a certificate of need submitted by or on behalf of a nursing home for a lease, any construction or the purchase of a nursing home or the addition of nursing home beds, prior to July 1, 1983, or the enactment of the 1983-85 biennial budget bill, whichever occurs later.

(3) (a) The department shall submit to the joint committee on finance for review and recommendation to the legislature, by February 1, 1983, a postmoratorium planning system which includes review standards proposed under this chapter. This state plan shall include proposals for recommended statutory changes as well as rule changes necessary to carry out the intent of the plan recommended by the department.

(b) The state plan shall be subject to review and comment by substate health planning agencies and by the health policy council prior to submission to the joint committee on finance. The department shall consider substate health planning agency plans, which shall be developed with substantial input from a broad array of affected persons, as part of its postmoratorium planning program.

(4) This section does not apply to:

(a) A project that is required to remedy an emergency that threatens the safety of any patient.

(b) An application for an expected increase in the estimated cost of a previously approved project which is covered under s. 150.02 (6) if the original scope of the project does not change.

(c) A project that both the department and the substate health planning agency agree has no significant financial impact on the hospital or nursing home and little or no impact on the delivery of health services in the planning area.

(d) A project for which both the department and the substate health planning agency find a compelling interest.

(e) A project developed pursuant to a plan of correction only for code deficiencies the department previously approved if the project includes no addition of beds.

(f) A project a nursing home develops to decrease the number of beds in the home if no capital expenditure is involved.

(g) Any lease, construction or purchase required due to the replacement of clinical equipment by a hospital.

SECTION 1461. 150.06 (1) of the statutes is amended to read:

150.06 (1) The appropriate substate health planning agency shall review each application for a certificate of need in accord with standards and procedures established under s. 150.07, and for consistency with locally developed plans and standards, and shall submit its comments thereon to the department within 60 days after ~~receipt of a complete application~~ date of notification. "Date of notification" is that date on which the department publishes notice of the receipt of an application and the proposed period for review in a newspaper of general circulation. The comments may include a recommendation to approve the application without modifications, to approve the application subject to specified modifications or to reject the application. Suggested modifications, if any, shall relate directly to the project under review.

SECTION 1462. 150.06 (3) of the statutes is amended to read:

150.06 (3) The department shall, except as provided in sub. (4) and s. 150.066, issue a certificate of need with or without any specified modifications or reject the application within 30 days after receiving the comments on the application from the substate health planning agency. If the department fails to act within such period, ~~the failure to act shall constitute rejection of the application~~ applicant may bring an action in the circuit court for Dane county to require the department to act. The department may not issue a certificate of need subject to any condition unless the condition directly relates to the criteria established under s. 150.07. Modifications shall relate directly to the project and may not constitute conditional approval based on the addition, alteration or termination of other services or facilities provided by the health care institution requesting the certificate.

SECTION 1463. 150.065 of the statutes is amended to read:

**150.065 Extended review.** The department shall promulgate rules establishing criteria for determining when it would not be practicable to complete a review within 90 days from ~~receipt of a completed application~~ the date of notification. If the department finds that these criteria are met for a particular project, it shall extend the review period for a period not to exceed 60 days, except with the consent of the applicant, and provide notice of such extension to all affected persons. The time limitations in s. 150.06 ~~(2)~~ shall be modified accordingly.

SECTION 1464. 150.066 of the statutes is created to read:

**150.066 Grouping applications for concurrent review.** (1) At least twice each year, the department shall group certificate of need applications for concurrent review, using the following criteria:

(a) The department shall concurrently review applications for similar health services, clinical equipment or capital expenditures that are proposed within the same planning area of a substate health planning agency.

(b) After consulting with the substate health planning agency, the department shall concurrently review the following types of applications, located within the same planning area:

1. Proposals to lease, construct or purchase any health care institution licensed under ch. 50.
2. Proposals to lease, construct or purchase any hospital.
3. Proposals to establish any home health agency.
4. Proposals for similar health services, clinical equipment or capital expenditures if concurrent review reduces costs and improves the future delivery of health services within the planning area and if the dates on which notices of intent are filed under s. 150.04 permit the department to adjust the review cycle, allowing concurrent review.
5. Proposals to change bed capacity, as defined in s. 150.02 (1) (c).

(2) If the department is unable to review grouped applications concurrently because of time cycle constraints under s. 150.06, the department, in consultation with the substate health planning agency for the area in which the projects are proposed, may extend the review period of any application for up to 60 days to permit concurrent review of the grouped applications.

(3) (a) This section does not apply to applications for nonsubstantive projects submitted under s. 150.02 (4) or (5).

(b) The department is not required to group applications submitted under s. 150.025 (6) for concurrent review.

SECTION 1465. 150.07 (1) (m) to (t) of the statutes are created to read:

150.07 (1) (m) The impact on health professional training programs in the area to be served.

(n) The effect of competition on the supply of the health services being reviewed.

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- (o) Improvements or innovations in the financing of health services that foster competition and reduce the cost of the services.
- (p) Improvements or innovations in the delivery of health services that improve the quality and reduce the cost of the services.
- (q) The effect of construction projects on the cost of health services provided by the applicant and by other institutions.
- (r) The extent to which the project improves the quality of existing services.
- (s) The extent to which the project contributes to the appropriateness of existing services.
- (t) The need for and the availability in the community of services and facilities for osteopathic and allopathic physicians and their patients.

SECTION 1467. 150.085 of the statutes is amended to read:

**150.085 Rehearing.** Any adversely affected person may request a rehearing under s. 227.12 on the basis of the grounds specified in s. 227.12 (3) or such other grounds as the department may specify by rule.

SECTION 1468. 150.09 of the statutes is amended to read:

**150.09 Appeals.** The department shall promulgate rules establishing procedures by which any person ~~applying for a new, modified or amended certificate of need or a substate health planning agency may appeal a decision by the department~~ adversely affected by a decision of the department with respect to a certificate of need application may appeal the decision. The procedures shall include an opportunity for an appeal to an independent hearing officer, appointed by the governor under s. 753.075 (3). The department and the adversely affected person may agree to waive the appeal to the independent hearing officer and the parties may seek judicial review. In an appeal of a decision to deny a certificate of need, the department shall bear the burden of proving that the project fails to meet the criteria specified in its written findings under s. 150.067. In an appeal of a decision to grant a certificate of need, the person appealing that decision must prove that the project fails to meet such criteria. The appeals shall be conducted in the manner described in s. 227.20, except that findings, conclusions and the decision resulting from the hearing shall, to the extent the determinations of the department are reversed or modified, constitute the determinations of the department.

SECTION 1469. 150.10 of the statutes is renumbered 150.10 (1) and amended to read:

150.10 (1) A new, modified or amended certificate of need is valid for a period of one year from the date of issuance and ~~may be renewed at the expiration of this period. The certificate of need~~ may be renewed one or more times for periods of up to one year only if evidence of substantial and continuing progress on the project is submitted ~~or if the applicant demonstrates a commitment to obligate for the proposed project within the extension period.~~ The department may establish rules to assure timely completion of the project.

SECTION 1470. 150.10 (2) to (5) of the statutes are created to read:

150.10 (2) The department shall specify the maximum capital expenditure that may be obligated for each project.

(3) The application shall include the applicant's proposed timetable for implementing and completing the project, breaking the project into separately identifiable stages of completion. The timetable shall also specify the time the proposed service, clinical equipment or capital expenditure project will become available for use.

(4) Any holder of a certificate of need shall, at least once each year, provide written documentation to the department and to the substate health planning agency that the holder is meeting the timetable for completion. The written documentation shall:

- (a) Identify the project and the certificate holder;

- (b) Specify the date of issuance of the certificate;
- (c) Describe the stages of the project that are completed;
- (d) Report on the project's status;
- (e) Explain any deficiencies;
- (f) Identify any cost overruns and estimate potential cost overruns within the following year; and
- (g) Estimate the date that uncompleted stages of the project will be completed, if the project is not meeting the submitted timetable.

(5) Each holder of a certificate of need shall notify the department in writing prior to the date the timetable specifies completion of any stage of the project, if action to begin the stage does not start as scheduled or if the stage will not be completed as scheduled in the timetable.

SECTION 1471. 150.11 of the statutes is created to read:

**150.11 Withdrawing certificates of need.** (1) The department may withdraw a certificate of need if:

- (a) The holder fails to obligate the specified capital expenditures within one year;
- (b) The holder fails, within one year following the date of obligation, to obtain financing and initiate substantial construction. "Substantial construction" means spending at least 20% of the project's cost; or
- (c) After reviewing the project the department concludes that the holder is not meeting the deadlines in the timetable and is not making a good faith effort to meet the timetable.

(2) The department may withdraw a certificate of need only after providing a report of its review, including the cause for the withdrawal of the certificate, to the applicant and to the substate health planning agency and after receiving recommendations from the substate health planning agency regarding the withdrawal.

(3) The department shall notify the holder of the certificate, the substate health planning agency and the public in writing of any impending action to withdraw the certificate.

(4) The holder of the certificate of need may contest the decision of the department to withdraw the certificate through a hearing under s. 227.07.

SECTION 1471m. Subchapter III of chapter 150 of the statutes is repealed.

SECTION 1479. 155.06 (6) (a) 5 and (b) of the statutes are amended to read:

155.06 (6) (a) 5. Crossing out the donor authorization in the space provided on the backside of the driver's license as prescribed in s. 343.17 (1) (c).

(b) Any document of gift which has not been delivered to the donee may be revoked by the donor in the manner set out in par. (a), or by destruction, cancellation or mutilation of the document and all executed copies of the document or by crossing out the authorization in the space provided on the backside of the license as prescribed in s. 343.17 (1) (c).

SECTION 1481. 157.06 (1) (b) 4 and 5 of the statutes are amended to read:

157.06 (1) (b) 4. Any incorporated college of a religious order; ~~or~~

5. Any cemetery association created under s. 157.03; ~~or~~

SECTION 1482. 157.06 (1) (b) 6 of the statutes is created to read:

157.06 (1) (b) 6. A corporation organized under ch. 180 or 181 operating a cemetery on April 30, 1980.

SECTION 1483. 157.12 (3) (a) 2 of the statutes is amended to read:

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157.12 (3) (a) 2. Except as provided in subd. 1, the operator of the vault shall apply at least 25 % of all proceeds received from ~~operating the vault sales of mausoleum rooms or crypts and columbarium niches~~, until the fund equals 25 % of the cost of constructing the vault. The municipality in which the vault is located may require a larger fund.

SECTION 1486m. 165.25 (4m) of the statutes is created to read:

165.25 (4m) FURNISH BOND COUNSEL SERVICES. The department of justice shall furnish bond counsel services to the state building commission when the commission contracts public debt under subch. I of ch. 18.

SECTION 1487. 165.25 (6) of the statutes is amended to read:

165.25 (6) (title) ATTORNEY FOR STATE. At the request of the head of any department of state government, the attorney general may appear for and defend any state department, or any state officer or employee or agent of the department in any civil action or civil proceeding other matter brought before a court or an administrative agency which is brought against the state department, or officer or employee or agent for or on account of any act growing out of or committed in the lawful course of the an officer's or employee's or agent's duties. Witness fees or other expenses determined by the attorney general to be reasonable and necessary to the defense in the action or proceeding shall be paid as provided for in s. 885.07. The attorney general may compromise and settle the action as the attorney general determines to be in the best interest of the state. Members, officers and employes of the Wisconsin state agencies building corporation, and the Wisconsin state public building corporation and agents of any department shall be are covered by this section while acting within the scope of any written agreement entered into prior to the occurrence of any act which results in a civil action or civil proceeding. The attorney general may compromise and settle claims asserted before such actions or matters formally are brought or may delegate such authority to the department of administration. This subsection may not be construed as a consent to sue the state or any department thereof or as a waiver of state sovereign immunity.

SECTION 1488. 165.79 (3) (b) of the statutes is amended to read:

165.79 (3) (b) At any preliminary examination, a report of the laboratory's or local health department's findings with reference to all or any part of the evidence submitted, certified as correct by the administrator, the head of the local health department or a person designated by either of them, shall, when offered by the state or the accused, be received as evidence of the facts and findings stated, if relevant and otherwise admissible in evidence. The expert who made the findings need not be called as a witness unless the expert's appearance is demanded by the opposing party, in which case the judge shall so order and adjourn the hearing to a time when the expert is available to testify.

SECTION 1489. 165.85 (5) (b) of the statutes is amended to read:

165.85 (5) (b) The board shall authorize, on a uniform percentage basis, the reimbursement to each political subdivision of 100 % for the first 240 hours of conventional or competency-based recruit training, and 60 % for additional conventional recruit training up to 320 hours or 100 % for additional competency-based recruit training up to 320 hours, of the salary and of the allowable tuition, living and travel expenses incurred by the officers in attendance at schools approved by the board. Funds may also be distributed for attendance at other training programs and courses or for training services on a priority basis to be decided by the department of justice.

SECTION 1490. 165.87 (1) of the statutes is amended to read:

165.87 (1) FUND. Five-sixths of all moneys collected on or after July 1, 1980, from penalty assessments under this section shall be deposited in s. 20.455 (2) (i), and utilized in accordance with s. 165.85 (5). The moneys deposited in s. 20.455 (2) (i) constitute the law enforcement training fund. Moneys transferred from s. 20.455 (2) (i) to s. 20.435 (3) (jp) shall be utilized in accordance with s. 46.057. Of the balance of the

moneys collected from penalty assessments under this section on or after July 1, 1980, 62.2 % shall be deposited under s. 20.255 (1) (gm) and the remainder shall be deposited under s. 20.255 (1) (g).

SECTION 1490m. 166.03 (1) (b) 4 of the statutes is amended to read:

166.03 (1) (b) 4. During a state of emergency, declare priority of emergency government contracts over other contracts, allocate materials and facilities in his or her discretion, and take, use and destroy private property for emergency government purposes. Such taking, use or destruction shall be in the name of the state. Records shall be kept of such action and such records shall be evidence of a claim against the state. Payment of Any such claim shall be made referred to the claims board under s. 16.53 (8) 16.007.

SECTION 1490s. 166.03 (2) (b) 6 of the statutes is created to read:

166.03 (2) (b) 6. Provide from the appropriation under s. 20.505 (2) (d) disaster relief aids to Dunn, Chippewa, Eau Claire and Pierce counties and local governments, as defined in P.L. 93-288, sections 102 (2) and (6) and 402 (b), in those counties, which incurred costs because of windstorm damage in 1980, which requested the federal government to reimburse the county or local government for the costs and which were not fully reimbursed by the federal government for the costs. Each such county and local government shall be paid a proportional share of the amount appropriated under s. 20.505 (2) (d) in fiscal year 1981-82 as the amount of costs incurred by the county or local government because of windstorm damage in 1980 which was requested by the county or local government to be reimbursed by the federal government and not reimbursed by the federal government is to the amount of costs incurred by all such counties and local governments because of windstorm damage in 1980 which was requested by all such counties and local governments to be reimbursed by the federal government and not reimbursed by the federal government.

SECTION 1491d. 177.185 of the statutes is amended to read:

**177.185 Reserve to pay certified claims and administrative expenses.** The office shall reserve a sum sufficient to pay estimated claims and administrative expenses from the funds received under this subchapter including the proceeds from the sale of abandoned property under s. 177.17. This reserve shall be deposited by the office in the general fund as assigned receipts program revenues.

SECTION 1491g. 180.793 (1), (2) and (4) of the statutes are amended to read:

180.793 (1) The annual report, together with a filing fee of \$50, shall be delivered to the secretary of state in each year following the year in which the corporation's articles of incorporation are filed by the secretary of state during the calendar year quarter in which the anniversary date of filing occurs. Unless the secretary of state finds that the report fails to conform to the requirements of law, the secretary of state shall file the same. If the secretary of state finds that it does not so conform the secretary of state shall return the same to the corporation for any necessary corrections, in which event the late fee prescribed in this section for failure to file such report within the time provided does not apply, if the report is corrected to conform to the requirements of this chapter and returned to the secretary of state within 30 days after it was mailed to the corporation for correction.

(2) Any such report not filed as required by sub. (1) may be filed only upon payment to the secretary of state of \$21 a filing fee of \$61.

(4) The corporation may be restored to good standing by delivering to the secretary of state a current annual report conforming to the requirements of law and by paying to the secretary of state the \$21 late \$61 filing fee plus \$10 \$50 for each calendar year or part of a calendar year during which the corporation has not been in good standing, not exceeding a total of \$110 \$460.

SECTION 1491k. 180.835 of the statutes is amended to read:



~~180.835 Filing of annual report of foreign corporation. (1) The first annual report of a foreign corporation, together with the fee under s. 180.87 (1) (j), shall be delivered to the secretary of state between January 1 and March 31 of the year next succeeding the calendar year in which such corporation was authorized to transact business in this state. Subsequent annual reports of a foreign corporation, together with the fee under s. 180.87 (1) (j), shall be delivered to the secretary of state between January 1 and March 31 of each year. Unless the secretary of state finds such report does not conform to the requirements of this chapter, the secretary of state shall, when all fees and charges have been paid as in this chapter provided, file the same. If the secretary of state finds that it does not so conform, the secretary of state shall return the same to the corporation for any necessary corrections, in which event the late fees prescribed in this section for failure to file such report within the time provided do not apply if such report is corrected to conform to the requirements of this chapter and returned to the secretary of state not more than 30 days after the date it was mailed back to the foreign corporation by the secretary of state.~~

~~(2) If the annual report is delivered to the secretary of state after March 31 and prior to June 1, the corporation shall pay a late filing fee of \$25 \$175, and the secretary of state shall not file the report until the late fee is paid. If the annual report is delivered to the secretary of state on or after June 1, the corporation shall pay a late filing fee of \$55 \$205 and the secretary of state shall not file the report until the late fee is paid.~~

~~SECTION 1491p. 180.835 (3) of the statutes is created to read:~~

~~180.835 (3) If a foreign corporation is required to file an annual report under this section, but before filing it withdraws under s. 180.837 or its certificate of authority to transact business in this state is revoked by the secretary of state, then the foreign corporation may not subsequently file an application for a certificate of authority to transact business in this state within one year from the withdrawal or revocation, unless along with the appropriate application documents and filing fees the foreign corporation files the annual report which was due at the time of the withdrawal or revocation and pays a report filing fee of \$150. The annual report shall have no effect on any revocation under s. 180.841 (1) (e).~~

~~SECTION 1491t. 180.87 (1) (j) and (p) of the statutes are amended to read:~~

~~180.87 (1) (j) Filing an annual report of a foreign corporation \$25 \$150, or the fee prescribed under s. 180.835, and in case the annual report shows that the corporation employs in this state capital in excess of the amount of capital on which a fee has previously been paid, computed as provided in s. 180.813, an additional fee which, with previous payments made on account of capital employed in this state, will amount to \$1.25 for each \$1,000 or fraction thereof of the excess.~~

~~(p) Filing an annual report of a domestic corporation, \$40 the fee prescribed under s. 180.793.~~

~~SECTION 1491w. 180.99 (11) of the statutes is amended to read:~~

~~180.99 (11) ANNUAL REPORT. A corporation organized and operating under this section shall furnish a report, together with the filing fee prescribed under s. 180.793, to the office of the secretary of state in each year following the year in which the corporation's articles of incorporation are filed by the secretary of state, during the calendar year quarter in which the anniversary of the filing occurs. The report shall show the names and post-office addresses of all its shareholders, directors and officers, which shall certify that, with the exceptions permitted in sub. (7), all such persons are duly licensed, certified, registered or otherwise legally authorized to render the same professional or other personal service in this state. This report shall be made on forms prescribed and furnished by the secretary of state, but shall contain no fiscal or other information except that expressly called for by this subsection. It shall be signed by the president or vice president and the secretary or an assistant secretary of the corporation, and acknowledged before a notary public by the persons signing the report, shall be filed in the office of the secretary~~

~~of state, and shall be in lieu of the regular annual report of corporations otherwise required by ch. 180. The filing of such reports shall be governed by s. 180.793 (2), (3) and (4).~~ Vetoed  
in Part

SECTION 1492. 181.68 (1) (g) of the statutes is amended to read:

181.68 (1) (g) Filing an application to reserve a corporate name for 60 days, \$5 \$10; and filing an application to reserve a corporate name under s. 181.07 (3), \$50, plus \$10 for each year of reservation in excess of 5 years;

SECTION 1493. 185.983 (1) (intro.) of the statutes is amended to read:

185.983 (1) (intro.) Every such voluntary nonprofit sickness care plan shall be exempt from chs. 600 to 646, with the exception of ss. 601.04, 601.31, 601.43, 601.44, 601.45, 632.79 and 632.91 but the sponsoring association shall:

SECTION 1495. 190.11 of the statutes is amended to read:

**190.11 (title) Railroad conveyances, how executed and filed.** (1) Every conveyance or lease, deed of trust, mortgage or satisfaction thereof made by any railroad corporation shall be executed and acknowledged in the manner in which conveyances of real estate by corporations are required to be to entitle the same to be recorded, and shall be recorded filed in the office of the secretary of state, ~~provided such documents have plainly printed or typewritten thereon the names of the grantors, grantees, witnesses and notary, who shall indorse thereon his certificate, specifying the day, hour and minute of its reception and the volume and page where recorded, which certificate shall be evidence of such facts. Every such record~~ "filed" and the date of filing.

(2) A record of filing under sub. (1) shall from the time of reception of the instrument have the same effect as to any property in this state described therein as the record of any similar instrument in the office of a register of deeds has as to property in his or her county, and shall be notice of the rights and interest of the grantee, lessee or mortgagee by such instrument to the same extent as if it were recorded in all of the counties in which any property therein described may be situated.

SECTION 1496. 190.11 (3) of the statutes is created to read:

190.11 (3) The secretary of state shall collect a fee of 25 cents per folio filed under sub. (1).

SECTION 1497. 194.04 (1) (cm), (2) and (3) (a) of the statutes are amended to read:

194.04 (1) (cm) Vehicles permitted under common or contract motor carrier authorities shall pay permit fees for the same period as registration fees are paid under ch. 341 except that permit fees paid under sub. (4) (cm) shall be for the period required under the rules adopted pursuant to 49 USC 11506 and except that permit fees paid under sub. (4) (cr) shall be for the same period as required for vehicles subject to the fee under sub. (4) (cm).

(2) **PERMITS; APPLICATION, EXPIRATION.** Every permit, except the quarterly and multiple-year permits issued pursuant to sub. (1) (cm) or permits subject to the fee provided in sub. (4) (cm) or (cr), for the operation of a motor vehicle expires on December 31 of each year. Except as herein provided application for permits shall be made annually and shall be accompanied by the annual fee reduced by one-fourth for each quarter of the permit year in which the vehicle has not been operated, except that there shall be no reduction of the fees paid by private motor carriers or on renewals. No permit shall be issued or renewed for any motor vehicle unless the registration required by ch. 341 is paid in this state.

(3) (a) No motor vehicle permit issued under this chapter shall be transferable from one motor vehicle to another except as authorized under the regulations adopted under 49 USC 11506 or as further provided in this subsection. Common motor carrier vehicles,

except truck tractors or road tractors, upon which the common motor carrier permit fee has been paid may be used or operated in intrastate commerce by other common motor carriers without the payment of an additional permit fee. Contract motor carrier vehicles upon which the contract motor carrier permit fee has been paid may be used or operated in intrastate commerce by other contract motor carriers without the payment of an additional permit fee and, if operated exclusively in the metropolitan area of any city within a county having a population of 500,000 or more, may be used or operated in the hauling of common motor carrier trailers within ~~such~~ the metropolitan area. When used in railroad trailer-on-flat-car service, and when interchanged between contract and common motor carriers, contract or common motor carrier trailers and semitrailers upon which the contract or common motor carrier permit fee has been paid may be used or operated by other contract or common motor carriers without an additional permit. Private motor carrier trailers and semitrailers may be used or operated both by private motor carriers and by common and contract motor carriers upon the payment of the appropriate common or contract motor carrier permit fee.

SECTION 1499. 194.04 (3) (b) and (4) (a) to (c) of the statutes are amended to read:

194.04 (3) (b) When a motor truck, motor bus, tractor, trailer or semitrailer having a permit is sold or otherwise disposed of, and its permit canceled and such vehicle is replaced by another such motor vehicle, a permit of the same class shall be issued by the department for the same year to such replacement vehicle without charge, except that if a motor vehicle is subject to 49 USC 11506 the provisions for replacement vehicle permits set out in the regulations adopted pursuant to 49 USC 11506 shall apply.

(4) (a) Motor vehicles operated solely in intrastate commerce by common motor carriers of passengers, \$30.

(b) Motor vehicles operated solely in intrastate commerce by common motor carriers of property, \$30.

(c) Motor vehicles operated solely in intrastate commerce by contract carriers, \$15.

SECTION 1500. 194.04 (4) (cm) and (cr) of the statutes are created to read:

194.04 (4) (cm) Motor vehicles, except trailers and semitrailers, operated entirely or in part in interstate commerce by common and contract motor carriers under authority issued by the interstate commerce commission and subject to transportation commission regulation, \$5.

(cr) Motor vehicles, except trailers and semitrailers, operated entirely or in part in interstate commerce by common and contract motor carriers exempt from interstate commerce commission regulation but subject to transportation commission regulation, \$5.

SECTION 1501. 194.38 (5) of the statutes is amended to read:

194.38 (5) To act in accordance with 49 USC ~~section 302 (b)~~ 11506 by making any finding, determination and otherwise doing any other thing necessary to proceed under that statute. Nothing in this subsection shall permit the department to extend the length or weight of motor vehicles.

SECTION 1504. 195.28 (3) of the statutes is amended to read:

195.28 (3) MAINTENANCE COSTS. Except as otherwise provided in this subsection, the cost of maintaining crossing protection devices ordered under sub. (1) shall be the responsibility of the railroad. Any railroad company that incurs expenses for maintenance of signals or other safety devices may file a claim for reimbursement with the department regardless of the date of installation of the signals or devices. At the close of each fiscal year, ~~after the costs under sub. (2) have been determined and allocated from the appropriation under s. 20.395 (2) (bq),~~ the department shall reimburse claimants under this subsection for 50% of the costs, as determined by the commission, incurred for maintenance of railroad protection devices from the ~~remaining~~ appropriation under s. 20.395

~~(2) (bq) (1) (fq). If such remaining the amount in this appropriation is not adequate to fund maintenance reimbursement under this subsection, the amount remaining in the appropriation under s. 20.395 (2) (bq) shall be prorated among the claimants.~~

~~SECTION 1504m. 195.28 (5) of the statutes is created to read:~~

~~195.28 (5) APPROVAL REQUIRED. If an order of the transportation commission affecting a transportation project requires approval under s. 13.489 (8) and (9), the order is not effective unless approved under s. 13.489 (8) and (9).~~

Vetoed  
in Part

~~SECTION 1504n. 195.29 (9) of the statutes is created to read:~~

~~195.29 (9) APPROVAL REQUIRED. If an order of the transportation commission affecting a transportation project requires approval under s. 13.489 (8) and (9), the order is not effective unless approved under s. 13.489 (8) and (9).~~

~~SECTION 1505m. 196.03 (4) of the statutes is created to read:~~

~~196.03 (4) Any public utility which is not a city, town or village and which supplies gas or electricity to its customers may not recover in rates set by the commission from any customer for any expenditure for costs in a proceeding before the commission which exceed 4 times the total amount assessed to the utility under s. 196.85 (1) and (2) unless the object of the expenditure has been ordered by the commission. The commission, by rule, shall establish procedures whereby a public utility may recover its expenditures under this subsection.~~

~~SECTION 1505n. 196.03 (5) of the statutes is created to read:~~

~~196.03 (5) No electric utility, as defined in s. 196.491 (1) (d), may recover in rates set by the commission from any customer any expenditure for the purpose of subsidizing, directly or indirectly, the general public utilities corporation.~~

Vetoed  
in Part

~~SECTION 1505o. 196.03 (6) of the statutes is created to read:~~

~~196.03 (6) No public utility except a public utility furnishing telephone service may recover in rates set by the commission from any customer any Wisconsin tax on its income which the public utility does not actually pay due to a deduction from its gross income under s. 71.04 (15).~~

Vetoed  
in Part

~~SECTION 1506. 196.035 of the statutes is amended to read:~~

~~196.035 Disconnect notices; assistance information to be furnished. Any utility furnishing heat, light or power to a residential customer shall include with any notice of intent to disconnect service during the months of December, January, February or March information concerning the emergency fuel and utilities assistance program under s. 49.055 heating assistance programs provided by the department of health and social services.~~

~~SECTION 1507m. 196.177 of the statutes is created to read:~~

~~196.177 Residential weatherization service. (1) DEFINITIONS. In this section:~~

~~(a) "Dwelling unit" means a structure or that part of a structure which is heated and which is used or intended to be used as a home or residence by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.~~

~~(b) "Eligible customer" means a person who owns or occupies a residential building and who is billed by a utility for natural gas or electricity used in the building.~~

~~(c) "Energy conservation measure" means any measure specified by the commission by rule under sub. (7) (a) 2.~~

~~(d) "Program audit" means an energy audit in which an estimate of heating fuel costs and savings are based on an on-site inspection of the residential building of an eligible customer by an individual who conducts a program audit and who meets standards established by the commission under sub. (7) (a) 2.~~

~~(e) "Program measure" means an energy conservation measure or a renewable energy resource system.~~

**VETOED**

(f) "Renewable energy resource system" means a renewable energy resource system, as defined under s. 101.57 (8) (a), or specified by the commission under sub. (7) (a) 3 installed for use in a residential building.

(g) "Residential building" means any building which contains up to 4 dwelling units.

(h) "Utility" means any class A public utility, as defined by the commission by rule under sub. (7) (a) 5.

(2) RESIDENTIAL WEATHERIZATION SERVICE ESTABLISHED. Every utility shall establish and administer a program to encourage and facilitate the installation of program measures in residential buildings. Under the program, a utility shall provide to an eligible customer, at the customer's request, the following services, without limitation because of enumeration:

(a) A program audit.

(b) The list of persons who sell, install or finance program measures, compiled and maintained by the department of administration under s. 16.95 (13).

(c) A list of prices for installation of program measures and a list of cost guidelines for the purchase and installation of each program measure, such lists to be compiled and maintained by the utility.

(cm) Arrangement for financing, supply and installation of any program measure upon the written request of an eligible customer.

(d) Postinstallation inspection of installed program measures.

(3) WEATHERIZATION LOAN SERVICE. (a) Every utility shall establish and administer a customer loan service for the purchase or installation of one or more program measures. Under the loan service a utility shall provide to any eligible customer, at the eligible customer's request, a list of lenders who finance program measures as provided under sub. (2) (b). The utility shall include with the list the prevailing interest rate at which each lender finances program measures. An eligible customer may apply for a loan under this subsection from a lender on the list if the eligible customer owns the residential building in which will be installed a program measure proposed for financing under the loan. At the customer's request, the utility which provides fuel for space heating to the customer shall assist the customer in the completion of the application for the loan and shall submit the application to the lender selected by the customer. If the customer does not receive fuel for space heating from a utility, at the customer's request the utility which provides electricity to the customer shall assist the customer in the completion of the loan and submit the application to the lender selected by the customer. The utility shall service any loan for which the utility submits an application under this paragraph.

(b) A loan transacted under this subsection may not be for a sum of less than \$500 per residential building nor more than \$5,000 per dwelling unit.

(c) Notwithstanding s. 422.403, a lender shall schedule payments to repay in full a loan transacted under this subsection over a period of time designated by the customer, but not exceeding 84 months.

(d) Notwithstanding s. 422.402 (1), with respect to a loan transacted under this subsection, a lender and customer may agree to payments which are not substantially equal to other payments if all of the following requirements are met:

1. All of the payments in every 12-month period are substantially equal.

1m. The amount of each scheduled payment in the first year of the repayment schedule is no less than the average monthly energy costs estimated to be saved by installation of the program measure financed by the loan.

2. The notice required under s. 422.402 (2) (a) is set forth immediately below the customer's signature in 12-point boldface type or its equivalent as prescribed under s. 422.402 (2) (a).

3. The lender discloses the effects of the repayment period chosen by the customer upon the total cost of a loan to the customer.

(f) A utility servicing a loan transacted under this subsection shall bill a customer granted a loan for the periodic repayment of the loan along with the customer's periodic payment for utility service unless the customer objects.

(g) A utility servicing a loan transacted under this subsection shall supply to any customer upon the customer's request a postinstallation inspection of a program measure installed and financed under this subsection. The utility shall notify every customer for whom the utility services a loan that the customer is entitled to the inspection.

(h) The commission shall report annually to the appropriate standing committee of the legislature on the rate of eligible customers applying for and receiving loans transacted under this subsection, the average amount of the loan, the types of program measures financed by the loans, the cost of servicing the loans and the effectiveness of the loan service as an incentive for the installation of program measures.

(j) No new loan may be transacted under this subsection after May 31, 1985.

(4) INFORMATION AND FORMS SUPPLIED. Every utility shall provide to any eligible customer who requests any service offered under sub. (2) or (3) information about and all necessary application forms for:

(a) All services offered by the utility under this section.

(b) All incentive programs available to persons installing program measures.

(5) HOME HEATING SUPPLIER PARTICIPATION. In this subsection, "home heating supplier" means a person who sells or supplies home heating fuel, including but not limited to No. 2 heating oil, kerosene, butane and propane, to an eligible customer for consumption in a residential building. A home heating supplier may establish and administer a residential weatherization service under sub. (2) or a weatherization loan service under sub. (3).

(6) ALLOCATION OF UTILITY COSTS. The commission may treat any amount expended by a utility for the following as an operating expense of providing service if such expenditure is found to be prudent:

(a) Administration of the program audits and postinstallation inspections required under this section.

(b) Administration of the costs of the loan service under sub. (3).

(7) COMMISSION RULES. (a) The commission, by rule, shall:

1. Direct utilities to develop and administer a vigorous and aggressive outreach program to encourage appropriate customer use of the loan service under sub. (3), including but not limited to promotional campaigns.

2. Establish qualification standards for individuals conducting program audits.

3. Specify renewable energy resource systems, in addition to the systems specified under s. 101.57 (8) (a), and energy conservation measures eligible for financing under sub. (3). The commission may not specify any program measure under this subdivision unless the commission determines that the measure will produce present value benefits in terms of saved energy costs in an amount not less than the total present value cost of installing the measure within 10 years after installing the measure.

5. Define a class A utility.

(b) The commission may adopt any other rule necessary to effect the requirements and purposes of this section.

SECTION 1507: 196.265 of the statutes is created to read:

~~196.265~~ **Intervenor reimbursements.** (1) This section does not apply to any cooperative association. The commission shall ensure that a fair balance of significant interests shall receive adequate representation in every commission proceeding. From assessments collected under s. 196.85, the commission, by rule, may provide for direct reimbursement of reasonable attorney fees, expert witness fees and other reasonable costs incurred by any party who:

- (a) Contributes to a fair determination of significant issues;
  - (b) Represents an interest not otherwise represented in the proceeding; or
  - (c) Could not participate effectively without reimbursement under this section.
- (2) The total amount of reimbursements under this section per fiscal year may not exceed 25% of the total utility expenditures for attorney fees, expert witness fees and other reasonable utility costs related to utility participation in commission proceedings and charged to ratepayers during the preceding fiscal year. The commission shall maintain an account of the utility expenditures.

(3) Prior to the time a party would be required to incur costs and fees eligible for reimbursement by the commission under this section, the commission shall determine whether to make the reimbursement. If the commission determines to make the reimbursement, it shall enter into a contract with the party. The contract may include a schedule of performance and reimbursement. Any cost which is eligible for reimbursement under this section and which is already incurred by any party may be reimbursed in whole or in part by the commission at any time upon a determination that the subject of the cost was material or helpful to the commission in its deliberations.

(4) Any review under ch. 227 of a determination under this section may not delay a commission proceeding. A court may not issue any injunction or stay against the proceeding based on the review.

**SECTION 1510m. 199.85 (2) (dm)** of the statutes is created to read:

Vetoed  
in Part

199.85 (2) (dm). To conduct a statewide advertising campaign designed to encourage residential utility consumers to conserve heating fuel. The campaign may include, without limitation because of enumeration, information on the availability of loans for the purchase or installation of energy conservation measures and renewable energy resource systems under s. 196.177 (3).

**SECTION 1510mm. 218.40 (2)** of the statutes is repealed and recreated to read:

218.40 (2) "Moped" has the meaning designated in s. 340.01 (29m).

Vetoed  
in Part

**SECTION 1510r. 221.04 (1) (j) 3** of the statutes is created to read:

221.04 (1) (j) 3. The limitations of sbdd. 1 do not apply to loans made under s. 196.177 (3).

**SECTION 1511m. 221.26** of the statutes is amended to read:

**221.26 Banks may be placed in hands of commissioner.** Any bank doing business under this chapter may place its affairs and assets under the control of the commissioner of banking by posting a notice on its front door, as follows: "This bank is in the hands of the commissioner of banking". Immediately upon posting such notice, the bank shall notify the commissioner of such action. The posting of such notice, or the taking possession of any bank by the commissioner, shall be sufficient to place all its assets and property of whatever nature in the possession of the commissioner, and shall operate as a bar to any attachment proceedings. For each day the commissioner is so placed in possession of the bank, and until such time as a special deputy commissioner of banking is appointed under s. 220.08 (4), the bank shall pay to the commissioner the actual cost of such liquidation proceedings. All such fees shall be paid by the commissioner to the state treasurer to be placed to the credit of s. 20.124 (1) (g) in the percentage specified in that paragraph.

**SECTION 1512. 223.02 (3)** of the statutes is amended to read:

223.02 (3) In lieu of the securities to be deposited with the state treasurer under sub. (1), ~~such corporation may deposit safekeeping receipts assigned to the state treasurer covering the said securities, issued by any federal reserve bank, or by any banking corporation located in a reserve city or a central reserve city, upon approval of the commissioner of banking of Wisconsin, provided such may designate an agent to hold the securities in safekeeping.~~ The agent shall be a banking corporation has having an authorized capital of not less than \$1,000,000. ~~Every such or more.~~ The agent shall furnish to the state treasurer a safekeeping receipt for all securities received by it, which shall describe the securities covered thereby and shall be payable on demand without conditions to the state treasurer.

SECTION 1513m. 227.01 (11) (x) of the statutes is amended to read:

227.01 (11) (x) Establishes rental policies for state-owned housing approved by the joint committee on finance under ~~ss. 13.101 (12) and s. 16.004 (8).~~

SECTION 1513p. 230.03 (2) of the statutes is amended to read:

230.03 (2) "Affirmative action" means specific actions in employment which are designed and taken for the ~~purpose~~ purposes of ensuring equal opportunity and a balanced work force and of eliminating present effects of past discrimination.

SECTION 1513q. 230.04 (9) of the statutes is renumbered 230.04 (9) (f) and amended to read:

230.04 (9) (f) ~~The secretary shall establish~~ Establish an affirmative action office reporting directly to the secretary for the ~~purpose~~ purposes of ensuring equal opportunity in employment and a balanced work force and of eliminating present effects of past discrimination. The affirmative action office shall advise and assist the secretary, the administrator and agency heads on establishing programs to ensure equal opportunity and, when appropriate, affirmative action as indicated in s. 230.01. The office shall advise and assist the secretary in monitoring such programs and shall provide staff to the affirmative action council.

SECTION 1513r. 230.04 (9) (intro.) and (a) to (e) of the statutes are created to read:

230.04 (9) (intro.) The secretary shall do all of the following:

(a) Establish standards for affirmative action plans to be prepared by all agencies and applied to all employees in and applicants for employment in the unclassified and classified services, except for state officers elected by the people. The standards shall state the time periods within which these plans shall be prepared.

(b) Review and approve or disapprove any affirmative action plan prepared by an agency to ensure compliance with the standards established under par. (a), and send any approved affirmative action plan to the governor with comments.

(c) Monitor, evaluate and make recommendations to each agency to improve its progress toward providing equal opportunity to employees, applicants for employment and clients of the agency.

(d) Provide each agency with technical assistance in exploring and implementing innovative personnel policies in compliance with standards established under par. (a).

(e) Annually, prepare and submit to the governor and the legislature a summary of existing agency affirmative action program accomplishments, future goals and recommended actions.

SECTION 1516d. 230.046 (5) (a) of the statutes is amended to read:

230.046 (5) (a) Unencumbered appropriated funds are available or funds have been so provided by the joint committee on finance ~~acting under s. 13.101;~~

SECTION 1516m. 230.046 (5) (b) of the statutes is amended to read:



230.046 (5) (b) Training costs estimated to exceed \$500, excluding the compensation of participants, have been included in the budget and approved by the legislature or the joint committee on finance ~~acting under s. 13.101~~, and such costs will be encumbered for training purposes on the records of the agency;

SECTION 1516v. 230.05 (2) (a) of the statutes is amended to read:

230.05 (2) (a) Except as provided under par. (b), the administrator may delegate, in writing, any of his or her functions set forth in this subchapter to an appointing authority, within prescribed standards if the administrator finds that the agency has personnel management capabilities to perform such functions effectively and has indicated its approval and willingness to accept such responsibility by written agreement. If the administrator determines that any agency is not performing such delegated function within prescribed standards, the administrator shall withdraw such delegated function. The administrator may order transfer to the division from the agency to which delegation was made such agency staff and other resources as necessary to perform such functions if increased staff was authorized to that agency as a consequence of such delegation or if the division reduced staff or shifted staff to new responsibilities as a result of such delegation subject to the approval of the joint committee on finance ~~under s. 13.101~~. Any delegatory action taken under this subsection by any appointing authority may be appealed to the personnel commission under s. 230.44 (1) (b). The administrator shall be a party in such appeal.

SECTION 1516w. 230.06 (1) (g) to (k) of the statutes are created to read:

230.06 (1) (g) Prepare an affirmative action plan which complies with the standards established by the secretary under s. 230.04 (9) (a) and which sets goals and outlines steps for incorporating affirmative action and principles supporting affirmative action into the procedures and policies of his or her agency.

(h) Ensure that his or her agency complies with its affirmative action plan.

(i) Explore and implement innovative personnel policies to ensure affirmative action.

(j) If his or her agency employs 50 or more employes, create an affirmative action advisory committee which shall advise the appointing authority concerning programs designed to ensure equal opportunity to all employes, applicants for employment and clients of the agency.

(k) Designate an affirmative action officer reporting directly to the appointing authority for the purposes of ensuring equal opportunity in employment and a balanced work force and of eliminating present effects of past discrimination. The affirmative action officer shall advise and assist the appointing authority in establishing programs to ensure equal opportunity and, when appropriate, affirmative action as indicated in s. 230.01.

SECTION 1517. 230.08 (2) (e) (intro.) of the statutes is amended to read:

230.08 (2) (e) (intro.) The number of division administrator positions as specified in this paragraph for any board or department as defined in sub. (4) (a) and s. 15.01 (1), with specific functional assignments to be determined by the appointing authority, except as otherwise provided in sub. (4) or as otherwise provided by law:

SECTION 1518. 230.08 (2) (e) 1 of the statutes is amended to read:

230.08 (2) (e) 1. Administration — 6 8.

SECTION 1519. 230.08 (2) (e) 6 of the statutes is amended to read:

230.08 (2) (e) 6. Industry, labor and human relations — 6 7.

SECTION 1520. 230.08 (2) (e) 9m of the statutes is renumbered 230.08 (2) (e) 8m and amended to read:

230.08 (2) (e) 8m. Public defender board — 2.

SECTION 1520m. 230.08 (2) (e) 14 of the statutes is created to read:

230.08 (2) (e) 14. Vocational, technical and adult education, board of — 2.

SECTION 1520mn. 230.08 (2) (fe) of the statutes is amended to read:

230.08 (2) (fe) The state auditor, ~~deputy state auditor and legislative audit directors and personnel~~ of the legislative audit bureau.

~~SECTION 1521. 230.08 (2) (L) 8 of the statutes is created to read:  
230.08 (2) (L) 8. Board of vocational, technical and adult education.~~

Vetoed  
in Part

SECTION 1522m. 230.08 (2) (t) of the statutes is created to read:

230.08 (2) (t) The executive director and staff of the board on aging and long-term care.

SECTION 1523. 230.08 (4) (a) and (c) of the statutes are amended to read:

230.08 (4) (a) The number of administrator positions specified in sub. (2) (e) includes all administrator positions specifically authorized by law to be employed in a department, as defined in s. 15.01 (1), or board outside the classified service. In this paragraph, "department" has the meaning given under s. 15.01 (1) and "board" means the public defender board and the board of vocational, technical and adult education. Notwithstanding sub. (2) (z), no division administrator position exceeding the number authorized in sub. (2) (e) may be created in the unclassified service.

(c) Any proposal of a board or department, as defined in par. (a) and s. 15.01 (1), for a change in the number of positions enumerated in sub. (2) (e), before being submitted to the legislature, shall first be submitted by the board or department for a separate review by the department of administration and by the administrator. The department of administration's review shall include information on the appropriateness of the proposed change with regard to a board's or department's current or proposed internal organizational structure under s. 15.02 (4). The administrator's review shall include information on whether the existing classified or existing or proposed unclassified division administrator position involved is or would be assigned to pay range 1-18 or above in schedule 1, or a comparable level, of the compensation plan under s. 230.12. The results of these reviews shall be provided by the department of administration and by the administrator to the joint committee on finance and the joint committee on employment relations at the same time that the board's or department's proposal is presented to either committee.

SECTION 1523m. 230.09 (2) (g) of the statutes is amended to read:

230.09 (2) (g) When filling a new or vacant position, if the administrator determines that the classification for a position is different than that provided for by the legislature as established by law or in budget determinations, or as authorized by the joint committee on finance ~~acting under s. 13.101~~ or as otherwise provided by law, or as specified by the governor ~~acting under s. 16.54~~ or creating positions funded under s. ~~20.001~~ 16.505 (1) (c) or (2) (b) or (e), or is different than that of the previous incumbent, the administrator shall withhold action on the selection and certification process and notify the secretary of administration. The secretary of administration shall review the position to determine that sufficient funds exist for the position and that the duties and responsibilities of the proposed position reflect the intent of the legislature as established by law or in budget determinations, or the intent of the joint committee on finance ~~acting under s. 13.101~~ or as otherwise provided by law, or the intent of the governor ~~acting under s. 16.54~~ or creating positions funded under s. ~~20.001~~ 16.505 (1) (c) or (2) (b) or (e). The administrator may not proceed with the selection and certification process until the secretary of administration has authorized the position to be filled.

SECTION 1526. 230.26 (1) of the statutes is amended to read:

230.26 (1) The administrator may provide by rule for selection and appointment for limited term appointments, which ~~shall be short term, project and are provisional appointments~~ or appointments for less than 1,044 hours per year. ~~Provisional and emergency appointments are short term appointments and are subject to subs. (2) and (3).~~

SECTION 1527. 230.26 (3) of the statutes is repealed.

~~SECTION 1530m. 230.35 (2) of the statutes is amended to read:~~

Vetoed  
in Part

~~230.35 (2) Leave of absence with pay owing to sickness and leave of absence without pay, other than annual leave, shall be regulated by rules of the administrator, except that used. The administrator shall by rule adopt a plan for the payment by the state of sick leave payments in lieu of salary on account of sickness or accident disability. Records shall be kept of all such payments as provided in s. 40.41 (11). The plan may also provide for paid sick leave to be allowed for other purposes. The administrator shall by rule regulate the use of leaves of absence without pay. Unused sick leave shall accumulate from year to year. After July 1, 1973, employees appointed to career executive positions under the program established under s. 230.24 or positions designated in s. 20.923 (4), (8) and (9) shall have any unused sick leave credits restored if they are reemployed in a career executive position or in a position under s. 20.923 (4), (8) and (9), regardless of the duration of their absence. Restoration of unused sick leave credits if reemployment is to a position other than those specified above shall be in accordance with rules of the administrator.~~

SECTION 1532. 230.35 (4) (c) and (d) (intro.) of the statutes are amended to read:

230.35 (4) (c) It is the intent of the legislature that all employes except ~~provisional, emergency and limited term~~ limited term employes be granted ~~7 1/2~~ 7.5 paid holidays annually in addition to any other authorized paid leave, the time to be at the discretion of the appointing authorities.

(d) (intro.) In addition to the holidays granted under pars. (a) and (c), all employes except ~~provisional, emergency and limited term~~ employes shall earn a total of 3 paid personal holidays each calendar year. Eligibility to take the personal holidays during the year earned is subject to the following:

SECTION 1535g. 231.03 (6) of the statutes is amended to read:

231.03 (6) Issue bonds of the authority for any of its corporate purposes in amounts it deems necessary and fund or refund the bonds. The aggregate amount of these bonds outstanding ~~under this chapter~~ may not exceed \$100,000,000. Of this amount, no more than \$50,000,000 may be used to finance participating health facilities located in 1st or 2nd class cities.

SECTION 1535r. 231.03 (6m) of the statutes is created to read:

Vetoed  
in Part

231.03 (6m) In addition to bonds issued under sub. (6), issue bonds for the financing of ~~nonprofit community-based~~ residential facilities that are not physically connected to other facilities. The aggregate amount of these bonds outstanding may not exceed \$100,000,000. Of this amount, \$20,000,000 may be used only to finance ~~community-based~~ residential facilities of 20 beds or less for chronically mentally ill or developmentally disabled persons. The remaining amount may be used for ~~community-based~~ residential facilities of 50 beds or less for the elderly or for additional ~~community-based~~ residential facilities of 20 beds or less for the chronically mentally ill or the developmentally disabled.

SECTION 1536. 231.05 (2) of the statutes is amended to read:

231.05 (2) To support this intent, the authority may not make any loan or issue any bonds to finance a project unless the project is determined to be needed by the state health planning and development agency. This subsection does not apply to community-based residential facilities licensed under s. 50.02 but not subject to ch. 150.

SECTION 1536m. 232.32 (4) of the statutes is amended to read:

232.32 (4) To assure the continued operation and solvency of the authority for the carrying out of the public purposes of this chapter, the authority shall accumulate in the capital reserve fund an amount equal to the capital reserve fund requirement. If at any

time the capital reserve fund requirement exceeds the amount of the capital reserve fund, the chairman of the authority shall certify to the secretary of administration, the governor and the joint committee on finance the amount necessary to restore the capital reserve fund to an amount equal to the capital reserve fund requirement. If such certification is received by the secretary of administration in an even-numbered year prior to the completion of the budget compilation under s. 16.43, the secretary shall include the certified amount in the budget compilation. In any case, the joint committee on finance acting ~~under s. 13.101~~ shall introduce in either house, in bill form, an appropriation of the amount so certified to the capital reserve fund of the authority. Recognizing its moral obligation to do so, the legislature hereby expresses its expectation and aspiration that, if ever called upon to do so, it shall make such appropriation.

SECTION 1536t. 234.035 of the statutes is created to read:

**234.035 Building commission approval of certain bonds and notes.** On or after the effective date of this section (1981), the issuance of bonds or notes by the authority is subject to approval of the state building commission under s. 13.487 if the moneys raised are to be used to fund loans secured by mortgages on owner-occupied residences.

SECTION 1537m. ~~236.12 (2) (c) of the statutes is created to read:~~

~~236.12 (2) (c) One copy to the land conservation committee of the county board, if the county has adopted an ordinance requiring the subdivision to meet soil erosion, sedimentation or storm water runoff standards. The land conservation committee may object to the plat only if soil erosion, sedimentation or storm water runoff standards are not met. In incorporated areas a county ordinance is applicable only if the city or village does not enact an ordinance with provisions at least as restrictive as the county ordinance.~~

Vetoed  
in Part

SECTION 1537o. 340.01 (29m) of the statutes is amended to read:

340.01 (29m) "Moped" means a any of the following:

(a) A bicycle-type motor vehicle with fully operative pedals for propulsion by human power which has an electric motor or an engine certified by the manufacturer at not more than 50 cubic centimeters, and an automatic transmission. The a maximum design speed of a moped shall not exceed exceeding 30 miles per hour on level ground, including a motor bicycle meeting these standards.

SECTION 1537r. 340.01 (29m) (b) of the statutes is created to read:

340.01 (29m) (b) A motor-driven cycle fully equipped which has an engine certified by the manufacturer at not more than 50 cubic centimeters, an automatic transmission and a maximum design speed not exceeding 30 miles per hour on level ground.

SECTION 1537u. 340.01 (30) and (33) of the statutes are amended to read:

340.01 (30) "Motor bicycle" means a bicycle to which a motor ~~with a horsepower capacity of one horsepower or less~~ has been added to ~~permit the vehicle to travel at a speed of 25 miles per hour or less~~ form a moped or motor-driven cycle. A motor bicycle is distinguished from a power-driven cycle, or motorcycle or moped in which the motor is an integral part of the original vehicle.

(33) "Motor-driven cycle" means a motor vehicle designed to travel on not more than 3 wheels in contact with the ground and having a seat for the use of the rider, including motorcycles ~~and, power-driven cycles and motor bicycles that do not qualify as mopeds~~ under sub. (29m) but excluding tractors, motor bicycles and mopeds.

SECTION 1539. 340.01 (56) (b) 4 and 5 of the statutes are amended to read:

340.01 (56) (b) 4. A motor vehicle registered under s. ~~341.26 (2) (a)~~ 341.25 (1) (k) and regulated under s. 346.97 which is used as a human services vehicle to transport adults for the purposes specified in par. (a) 4.

5. A motor vehicle registered under s. ~~341.26 (2) (n)~~ 341.25 (1) (k) and regulated under s. 346.97 which is designed to carry 10 persons or less including the operator and which is used to transport minors or both minors and adults for the purposes specified in par. (a) 4.

SECTION 1540. 341.065 of the statutes is amended to read:

**341.065 Alternative registration for certain vehicles.** In lieu of registration as a school bus and payment of the fee under s. 341.26 (2) (d) or (dm), a motor vehicle described in s. 340.01 (56) (b) 4 or 5 and operated in compliance with s. 346.97 may be registered under s. ~~341.26 (2) (n)~~ 341.25 (1) (k).

SECTION 1540b. ~~341.12 (1) and (2) of the statutes are amended to read:~~

~~341.12 (1) The department upon registering a vehicle pursuant to s. 341.25 or 341.30 shall issue and deliver prepaid to the applicant ~~2 one~~ registration plates for an automobile, motor truck, motor bus, school bus, self-propelled mobile home or dual purpose motor home and one plate for other vehicles. The department upon registering a vehicle pursuant to any other section shall issue one plate unless the department determines that ~~2 plates will better serve the interests of law enforcement~~ plate.~~

~~(2) The department shall purchase plates from the Waupun correctional institution unless otherwise approved by the governor. Subject to any specific requirements which may be imposed by statute, the department shall determine the size, color and design of registration plates with a view toward making them visible evidence of the period for which the vehicle is registered and the fee class into which the vehicle falls as well as making them a ready means of identifying the specific vehicle or owner for which the ~~plates were~~ plate was issued.~~

SECTION 1540e. 341.12 (4) (a) of the statutes is amended to read:

~~341.12 (4) (a) All registration plates issued under s. 341.25 (1) (a) and for motor trucks having a gross weight of not more than 8,000 pounds shall be treated with a reflectorized material or substance. The department shall prescribe the term for the use of a reflectorized ~~plates~~ plate.~~

SECTION 1540h. ~~341.13 (1) (intro.) of the statutes is amended to read:~~

~~341.13 (1) (intro.) In addition to the matter specified in s. 341.12 (3), a registration plates plate for automobiles and automobiles registered pursuant to the monthly series system shall comply with the following specifications:~~

SECTION 1540L. 341.13 (3) of the statutes is amended to read:

~~341.13 (3) In lieu of issuing a new ~~plates~~ plate upon each renewal of registration of a vehicle, the department may issue an insert tag, decal or other identification to indicate the period of registration. Such tags, decals or other identification ~~are to~~ shall be provided by the department and used only to the extent that ~~if the outstanding plates are~~ plate is in suitable condition for further usage.~~

SECTION 1540o. 341.14 (intro.), (1), (1a), (1m) and (1q) of the statutes are amended to read:

**341.14 Application for and issuance of special plates.** (intro.) The department shall issue a special ~~plates~~ plate as specified under the following circumstances:

(1) Whenever any resident of this state who is registering or has registered an automobile or motor home submits a statement from the U.S. veterans administration certifying to the department that the resident is, by reason of injuries sustained while in the active U.S. military service, disabled by paraplegia, amputation of leg, foot, both hands or if he or she is disabled by loss of use of a leg, foot, or both hands, minimum faulty vision of 20/200 or other condition certified to by the veterans administration resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about

without great difficulty, the department shall procure, issue and deliver to the veteran ~~plates a plate~~ of a special design in lieu of the ~~plates plate~~ which ordinarily would be issued for the vehicle. The ~~plates plate~~ shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is owned by a disabled veteran and is entitled to the parking privileges specified in s. 346.50 (2). No charge in addition to the registration fee shall be made for the issuance of such ~~plates a plate~~.

(1a) Whenever any resident of this state, who is registering or has registered an automobile or motor home, submits a statement from a physician duly licensed to practice medicine in this state certifying to the department that the resident is disabled by paraplegia, amputation of leg, foot or both hands or if he or she is disabled by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition certified to by a physician duly licensed to practice medicine in this state resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, the department shall procure, issue and deliver to the disabled person ~~plates a plate~~ of a special design in lieu of ~~plates the plate~~ which ordinarily would be issued for the vehicle. The ~~plates plate~~ shall be so designed as to readily apprise law enforcement officers of the fact that the vehicle is owned by a nonveteran disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee shall be made for the issuance of such ~~plates a plate~~.

(1m) If any licensed driver submits to the department a statement from a physician duly licensed to practice medicine certifying that another person who is regularly dependent on the licensed driver for transportation is disabled by paraplegia, amputation of leg, foot or both hands, or by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, the department shall issue and deliver to the licensed driver ~~plates a plate~~ of a special design in lieu of the ~~plates plate~~ which ordinarily would be issued for the automobile or motor home. The ~~plates plate~~ shall be so designed as to readily apprise law enforcement officers of the fact that the automobile or motor home is operated by a licensed driver on whom a disabled person is regularly dependent and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance of the ~~plates plate~~. The ~~plates plate~~ shall conform to the ~~plates plate~~ required in sub. (1a).

(1g) If any employer who provides an automobile or motor home, whether owned or leased by the employer, for an employe's use submits to the department a statement from a physician duly licensed to practice medicine certifying that the employe is disabled by paraplegia, amputation of leg, foot or both hands or by loss of use of a leg, foot or both hands, minimum faulty vision of 20/200 or other condition resulting in an equal degree of disability (specifying the particular condition) so as not to be able to get about without great difficulty, the department shall issue and deliver to such employer ~~plates a plate~~ of a special design in lieu of the ~~plates plate~~ which ordinarily would be issued for the automobile or motor home. The ~~plates plate~~ shall be so designed as to readily apprise law enforcement officers of the fact that the automobile or motor home is operated by a disabled person and is entitled to the parking privileges specified in s. 346.50 (2a). No charge in addition to the registration fee may be made for the issuance of the ~~plates plate~~. The ~~plates plate~~ shall conform to the ~~plates plate~~ required in sub. (1a).

SECTION 1540r. 341.14 (2) and (2m) of the statutes are amended to read:

341.14 (2) Upon compliance with the laws relating to registration of automobiles and station wagons, including payment of the prescribed fee under s. 341.25 (1) (a) plus an additional fee of \$10 when the license ~~plates are plate~~ is issued accompanied by an application showing satisfactory proof that the applicant is the holder of an unexpired amateur radio station license issued by the federal communications commission, the department

shall issue a registration plates plate on which, in lieu of the usual registration number, shall be inscribed in large legible form the call letters of such the applicant as assigned by the federal communications commission. The fee for reissuance of a plate under this subsection shall be \$10.

(2m) Upon compliance with laws relating to registration of motor vehicles, including payment of the prescribed fee, and an additional fee of \$5 when the original or new registration plates are plate is issued and accompanied by an application showing satisfactory proof that the applicant has a collector's identification number as provided in s. 341.266 (2) (a), the department shall issue a registration plates plate on which, in lieu of the usual registration number, shall be inscribed the collector's identification number issued under s. 341.266 (2) (a). The word "COLLECTOR" shall be inscribed across the lower or upper portion of the plate at the discretion of the department. Additional registrations under this subsection by the same collector shall bear the same collector's identification number followed by a suffix letter for vehicle identification. Registration plates issued under this section shall expire annually on May 31.

SECTION 1540u. 341.14 (5) and (6) of the statutes are amended to read:

341.14 (5) Upon application by any person awarded the congressional medal of honor and submission of proper proof thereof, the department shall issue a special plates plate so designed as to indicate such a ward. No charge whatever shall be made for the issuance of such plates a plate.

(6) Upon application to register an automobile or station wagon by any person who was a member of any of the U.S. armed services and who was held as a prisoner of war during any of the conflicts described in s. 45.35 (5) (b) to (g), and upon submission of a statement from the U.S. veterans administration certifying that the person was a prisoner of war during one of the conflicts described in s. 45.35 (5) (b) to (g), the department shall issue to the person a special plate which is colored red, white and blue and which has the words "ex-prisoner of war" placed on the plate in the manner designated by the department. An additional fee of \$10 shall be charged for the issuance of the plates plate. Registration plates A registration plate issued under this subsection shall expire annually on August 31.

SECTION 1540y. 341.145 (title) of the statutes is amended to read:

341.145 (title) **Personalized license plate.**

SECTION 1541. 341.145 (1) (a) of the statutes is amended to read:

341.145 (1) (a) In this section, "personalized license plate" means a registration plate for an owned automobile, station wagon or a motor truck which has a gross weight of not more than 6,000 pounds, which displays a registration number composed of letters or numbers, or both, requested by the applicant. **Personalized** The license plates plate shall be of the same color and design as the regular license plates plate and shall consist of numbers or letters, or any combination thereof both, not exceeding 6 positions and not less than 2 positions.

SECTION 1541b. 341.145 (1) (b) of the statutes is amended to read:

341.145 (1) (b) In lieu of the procedure under s. 341.13 (2), the department may issue distinguishing tags or decals for a personalized license plates plate for a vehicle registered on the basis of gross weight.

SECTION 1541d. 341.145 (2) (intro.) of the statutes is amended to read:

341.145 (2) (intro.) The department shall issue a personalized license plates plate only upon request and if:

SECTION 1541e. 341.145 (5) (b) of the statutes is amended to read:

341.145 (5) (b) In addition to the regular application fee, pay a \$4 fee for the issuance of a replacement plates plate; and

SECTION 1541h. 341.145 (7) and (8) of the statutes are amended to read:

341.145 (7) The department may refuse to issue any combination of letters or numbers, or both, which may carry connotations offensive to good taste or decency, or which would be misleading, or in conflict with the issuance of any other license plates plate. All decisions of the department with respect to personalized license plate applications shall be final and not subject to judicial review under ch. 227.

(8) The department may cancel and order the return of any personalized license plates plate issued which ~~contains~~ contains any combination of letters or numbers, or both, which the department determines may carry connotations offensive to good taste and decency or which may be misleading. Any person ordered to return such plates a plate shall either be reimbursed for any additional fees they paid for the plates plate for the registration year in which they are it is recalled, or be given at no additional cost a replacement personalized license plates plate, the issuance of which is in compliance with the statutes. A person who fails to return a personalized license plates plate upon request of the department may be required to forfeit not more than \$200.

SECTION 1541L. 341.15 (title) of the statutes is amended to read:

341.15 (title) Display of registration plate.

SECTION 1541o. 341.15 (1) of the statutes is renumbered 341.15 (1) (a) and amended to read:

341.15 (1) (a) ~~Whenever 2 registration plates are issued for a vehicle, one such plate shall be attached to the front and one to the rear of the vehicle. Whenever only one registration plate is issued, the~~ The registration plate shall be attached to the front rear of the vehicle, except that if the vehicle is a truck tractor or road tractor, otherwise, it shall be attached to the rear front.

SECTION 1541r. 341.15 (1) (b) and (c) of the statutes are created to read:

341.15 (1) (b) Any decal or tag issued by the department shall be placed on the rear registration plate of the vehicle or on the front registration plate of the vehicle if it is a truck tractor or road tractor, in the manner directed by the department.

(c) The owner of any vehicle for which 2 registration plates have been issued may, on or after the effective date of this paragraph (1981), remove and destroy one registration plate from the vehicle but is not required to do so. If a person removes and destroys one plate, the remaining plate must be attached to the rear of the vehicle unless the vehicle is a truck tractor or road tractor in which case the plate shall be attached to the front of the vehicle. Decals or tags shall be attached as provided in par. (b).

SECTION 1541u. 341.15 (2) of the statutes is amended to read:

341.15 (2) ~~Registration plates~~ The registration plate shall be attached firmly and rigidly in a horizontal position and a conspicuous place. The plates plate shall at all times be maintained in a legible condition and shall be so displayed that they it can be readily and distinctly seen and read. Any peace officer may require the operator of any vehicle on which plates are the plate is not properly displayed to display such plates the plate as required by this section.

SECTION 1541y. 341.16 of the statutes is amended to read:

341.16 Issuance of duplicate plate. (1) Whenever a current registration plate is lost or destroyed, the owner of the vehicle to which the plate was attached shall immediately apply to the department for a replacement. Upon satisfactory proof of the loss or destruction of the plate and upon payment of a fee of \$2 for each the plate, the department shall issue a replacement.

(2) Whenever a current registration plate becomes illegible, the owner of the vehicle to which the plate is attached shall apply to the department for a replacement. Upon receipt of satisfactory proof of illegibility, and upon payment of a fee of \$2 for each the plate, the



department shall issue a replacement. Upon receipt of a replacement plate, the applicant shall destroy the illegible plate.

**VETOED**

~~(3) When issuing a replacement plate, the department may assign a new number and issue a new plate rather than a duplicate of the original if in its judgment that is in the best interests of economy or prevention of fraud. Upon receipt of a replacement plate, the applicant shall destroy all plates the replaced plate.~~

~~(4) Any person issued a replacement plates plate who fails to destroy the original plates plate as required by sub. (2) or (3) may be required to forfeit not more than \$200.~~

~~(5) This section does not apply to plates a plate issued pursuant to the law pertaining to the registration of dealers, distributors, manufacturers or transporters.~~

SECTION 1541z. 341.25 (1) (a) of the statutes is amended to read:

341.25 (1) (a) For each automobile or station wagon, a fee of ~~\$18~~ \$25, except that an automobile registered in this state prior to September 1, 1947, at a fee of less than \$18 shall be registered at such lesser fee plus an additional fee of \$2.

SECTION 1542. 341.25 (1) (b) of the statutes is amended to read:

341.25 (1) (b) For each motor vehicle with a shipping weight of 1,000 pounds or less, except specially designed vehicles under s. 341.067, which is designed primarily for the transportation of persons rather than property, a fee of \$5. In addition, for each vehicle of this type other than a moped a fixed fee of \$2 which shall be deposited in the conservation fund \$7.

SECTION 1542m. 341.25 (1) (bn) of the statutes is created to read:

341.25 (1) (bn) For each specially designed vehicle under s. 341.067, a fee of \$5.

SECTION 1543. 341.25 (1) (k) of the statutes is amended to read:

341.25 (1) (k) For each motor vehicle operated in compliance with s. 346.97 and used exclusively to transport 7 or fewer adults under s. 340.01 (56) (b) 4, a fee of \$18 equal to the fee for an automobile under par. (a).

SECTION 1543m. 341.25 (2) of the statutes is amended to read:

341.25 (2) The following schedule shall be used in determining fees based on gross weight, provided that a surcharge of \$18 shall be added to and collected with the fee for each truck tractor:

Maximum gross weight in pounds	Annual fee
(a) Not more than 4,500.....	\$ 30
(b) Not more than 6,000.....	42
(c) Not more than 8,000.....	57
(d) Not more than 12,000.....	<del>117</del> <u>135</u>
(e) Not more than 16,000.....	<del>168</del> <u>186</u>
(f) Not more than 20,000.....	<del>216</del> <u>234</u>
(g) Not more than 26,000.....	<del>294</del> <u>312</u>
(h) Not more than 32,000.....	<del>381</del> <u>400</u>
(i) Not more than 38,000.....	<del>483</del> <u>507</u>
(j) Not more than 44,000.....	<del>576</del> <u>605</u>
(k) Not more than 50,000.....	<del>666</del> <u>699</u>
(L) Not more than 56,000.....	<del>756</del> <u>794</u>

- (m) Not more than 62,000..... 855 898
- (n) Not more than 68,000..... 966 1014
- (o) Not more than 73,000..... ~~1098~~ 1153
- (p) Not more than 76,000..... ~~1302~~ 1367
- (q) Not more than 80,000..... ~~1602~~ 1682

SECTION 1544. 341.255 (title) of the statutes is amended to read:

**341.255 (title) Registration certificate special handling and counter service fees.**

SECTION 1545. 341.255 of the statutes is renumbered 341.255 (1).

SECTION 1546. 341.255 (2) of the statutes is created to read:

341.255 (2) The department shall charge the following fees for counter services ~~provided by state employees:~~ **Vetoed in Part**

(a) For each transaction relating to a certificate of title, \$2.

(b) For each transaction relating to a registration not involving a certificate of title, \$2; except that if the registration is solely a renewal of the previous year's registration the fee shall be \$1.

(c) For each transaction which is a combination of a certificate of title and registration for the same vehicle, \$2.

SECTION 1547. 341.26 (2) (n) of the statutes is repealed.

~~SECTION 1547b. 341.26 (2m) (a) of the statutes is amended to read:  
341.26 (2m) (a) A fee of \$3 shall be paid to the department for the original issuance of a registration and license plates plate for any vehicle owned by this state or by any county or municipality or federally recognized Indian tribe or band in this state and operated exclusively, except for operation under s. 20.916 (7), in the public service by such state, county, municipality, Indian tribe or band. The registration shall be valid while the vehicle is owned and operated by the licensee.~~ **Vetoed in Part**

SECTION 1547c. 341.26 (3) (a) of the statutes is amended to read:

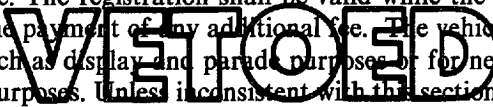
341.26 (3) (a) For each farm truck having a gross weight of 12,000 pounds or less, a fee of ~~\$18~~ \$21. For each farm truck having a gross weight of more than 12,000 pounds, a fee which is one-fourth of the fee prescribed in s. 341.25 (2) for a motor truck having the same gross weight.

~~SECTION 1547e. 341.265 of the statutes is amended to read:  
341.265 (title) Antique motor vehicles; registration, plate, use. Any person who is a resident of this state and the owner (and any subsequent transferee) of a motor vehicle which is more than 40 years old at the time of making application for registration of the vehicle may upon application register the same as an antique vehicle upon payment of a fee of \$5, and be furnished a license plates plate of a distinctive design, in lieu of the usual license plates plate, which shall show in addition to the identification number that the vehicle is an antique. The registration shall be valid while the vehicle is owned by the applicant without the payment of any additional fee. The vehicle shall only be used for special occasions such as display and parade purposes or for necessary testing, maintenance and storage purposes. Unless inconsistent with this section, the provisions applicable to other motor vehicles shall apply to antique motor vehicles.~~

SECTION 1547g. 341.266 (title) of the statutes is amended to read:

**341.266 (title) Special interest vehicles; registration, plate, use.**

SECTION 1547h. 341.266 (2) of the statutes is amended to read:



~~341.266 (2) Any person who is the owner of a special interest vehicle which is 20 or more years old at the time of making application for registration or transfer of title of the vehicle may upon application register the same vehicle as a special interest vehicle upon payment of a fee of \$40, and be furnished a license plates plate of a distinctive design in lieu of the usual license plates plate which shall show in addition to the identification number that the vehicle is a special interest vehicle owned by a Wisconsin collector. The registration shall be valid while the vehicle is owned by the applicant without the payment of any additional fee. The vehicle may be used as are other vehicles of the same type except that motor vehicles may not transport passengers for hire and trucks may not haul material weighing more than 500 pounds. Unless inconsistent with this section, the provisions applicable to other vehicles shall apply to special interest vehicles.~~

~~(a) Each collector applying for a special interest vehicle license plates plate will be issued a collector's identification number which will appear on each the plate. Second and all All subsequent registrations under this section by the same collector will bear the same collector's identification number followed by a suffix letter for vehicle identification.~~

~~(b) A collector must own and have registered one or more vehicles with a regular license plates plate which he the collector uses for regular transportation.~~

~~SECTION 1547j. 341.267 (4) of the statutes is amended to read:~~

~~341.267 (4) The department shall issue plates a plate of a distinctive design to motor vehicles licensed under this section.~~

~~SECTION 1547L. 341.268 (title) of the statutes is amended to read:~~

~~**341.268 (title) Reconstructed and homemade vehicles; registration, plate, use.**~~

~~SECTION 1547n. 341.268 (2) of the statutes is amended to read:~~

~~341.268 (2) Any person who is the owner of a reconstructed vehicle assembled from a vehicle manufactured 20 years or more prior to the time of making application for registration or transfer of title of the vehicle or any person who is the owner of a homemade vehicle, may upon application register the same as a reconstructed or homemade vehicle upon payment of a fee of \$40, and be furnished a license plates plate of a distinctive design in lieu of the usual license plates plate which shall show in addition to the identification number that the vehicle is a reconstructed or homemade vehicle owned by a Wisconsin hobbyist. The registration shall be valid while the vehicle is owned by the applicant without the payment of any additional fee. The vehicle may be used as are other vehicles of the same type except that motor vehicles may not transport passengers for hire and trucks may not haul material weighing more than 500 pounds. Unless inconsistent with this section, the provisions of this chapter applicable to other vehicles shall apply to reconstructed and homemade vehicles.~~

~~(a) Each hobbyist applying for a reconstructed or homemade vehicle license plates plate will be issued a hobbyist's identification number which will appear on each the plate. Second and all All subsequent registrations under this section by the same hobbyist will bear the same hobbyist's identification number followed by a suffix letter for vehicle identification.~~

~~(b) A hobbyist must own and have registered one or more vehicles with a regular license plates plate which the hobbyist uses for regular transportation.~~

~~SECTION 1547r. 341.27 (3) (a) and (b) of the statutes are amended to read:~~

~~341.27 (3) (a) If the applicant holds a current registration plates plate which was removed from an automobile of which the applicant no longer is the owner, or which has been junked, or is no longer used on the highways, and such plates were the plate was issued under the monthly series system, the department shall register the automobile which is the subject of the application for the remainder of such unexpired registration period.~~

(b) If the applicant does not hold a current registration plates plate under the circumstances described in par. (a) and the application is an original rather than renewal application, the department may register the automobile which is the subject of the application for such the period or part thereof as of the period that the secretary determines will help to equalize the registration and renewal workload of the department.

SECTION 1547u. 341.28 (2) of the statutes is amended to read:

341.28 (2) If the applicant for registration holds a current registration plates plate which were was removed from an automobile of which the applicant no longer is the owner, or which has been junked, or which is no longer being used on the highways, and such plates were the plate was issued under the monthly series system, the applicant is exempt from the payment of a registration fee, except in the following cases:

(a) If the annual fee prescribed for the automobile being registered is higher than the annual fee prescribed for the automobile from which the plates were plate was removed, the applicant shall pay a fee computed on the basis of one-twelfth of the difference between the 2 annual fees multiplied by the number of months for which the automobile which is the subject of the application is being registered. The start of the new registration, for the purpose of computing the fee, shall be determined in accordance with sub. (7).

(b) If the automobile which is the subject of the application was owned by the applicant at the time of and on or before the 15th day of the month in which the transfer, or discontinuance of use on the highways, or junking of the other automobile occurred and was not currently registered at the time of such transfer, or discontinuance of use on the highways, or junking, the applicant shall pay a fee to be computed as provided in subs. (3) to (5) but shall receive a credit for the unused portion of the current registration. Such credit shall be computed on the basis of one-twelfth of the annual fee paid for the vehicle from which the plates were plate was removed multiplied by the number of months remaining in the registration period represented by the removed plates plate, including the month during which the applicant transferred, or discontinued to use on the highways, or junked the automobile from which the plates were plate was removed if such transfer, or discontinuance of use on the highways, or junking occurred on or before the 15th day of the month.

SECTION 1547y. 341.28 (4) (intro.) of the statutes is amended to read:

341.28 (4) (intro.) If the applicant does not hold a current registration plates plate under the circumstances described in sub. (2) but the automobile which is the subject of the application has previously been registered in this state by the applicant, he the applicant shall pay a fee covering all the time since the end of the period for which the automobile previously was registered unless:

SECTION 1548. 341.29 (1) of the statutes is amended to read:

341.29 (1) The annual registration period for all vehicles other than private automobiles, taxicabs, those eligible for quarterly registration under s. 341.30 and driver education vehicles, shall be determined by the secretary. The secretary may require that any of the vehicles subject to this section be registered according to the monthly series system under s. 341.295.

SECTION 1548m. 341.29 (2) of the statutes is amended to read:

341.29 (2) If an application for registration of a vehicle subject to registration on an annual basis is received less than 2 months prior to the beginning of any registration period and the vehicle is not registered in this state at the time of application and the applicant desires to register for the succeeding registration period as well as for the remainder of the current period, the department upon registering the vehicle shall issue a registration plates plate designed for the succeeding registration period rather than for the current period. Such plates The plate also serves serves during the remainder of the

Vetoed  
in Part

Vetoed in Part ~~current registration period as lawful evidence of the registration of the vehicle. This subsection does not affect computation of fee payable by the applicant.~~

SECTION 1549. 341.295 of the statutes is created to read:

**341.295 Special registration period for vehicles other than private automobiles and taxicabs.** (1) The secretary may require that any vehicle subject to s. 341.29 be registered according to the monthly series system of registration prescribed by this section.

(2) There are established 12 registration periods, each to be designated by a calendar month and to start on the first day of such month and end on the last day of the 12th month from the date of commencing. The department shall so administer the monthly series system of registration as to distribute the work of registration throughout the calendar year.

(3) All vehicles subject to registration under the monthly series system under this section shall be registered by the department for a period of 12 consecutive calendar months except as follows:

(a) If the applicant holds registration plates which were removed from a motor truck under s. 341.31 (4) (b), 342.15 (4) (a) or 342.34 (1) (c), and the plates were issued under the monthly series system, the department shall register the motor truck which is the subject of the application for the remainder of the unexpired registration period.

(b) If the applicant does not hold current registration plates under the circumstances described in par. (a) and the application is an original rather than renewal application, the department may register the vehicle which is the subject of the application for such period or part of a period as the secretary determines will help to equalize the registration and renewal work load of the department.

(4) Section 341.31 applies to any vehicles registered according to the monthly series system under this section.

(5) When it initially implements the monthly series registration system under this section, the department may provide for renewal registration periods of not less than 6 months nor more than 18 months. The fees under this subsection shall be assessed according to the length of the registration periods.

SECTION 1550. 341.30 (3) of the statutes is amended to read:

341.30 (3) The quarterly registration fee is ~~one-fourth~~ 25% of the annual fee plus \$1. ~~The registration period starting July 1, 1962 and ending December 31, 1962 shall be considered as a full registration period and a vehicle shall be exempt from the \$1 quarterly charge if the initial payment of fees registers the vehicle through December 31, 1962~~ \$5. The department shall register a vehicle subject to quarterly registration for as many quarters less than a full year as the applicant desires, but the fee payable for each quarter shall be computed as provided in this subsection. If satisfactory evidence is provided that a vehicle was not operated on the highways during any quarter it shall be exempt from the payment of fees for the quarter in which it was not used.

~~SECTION 1550m. 341.31 (1) (b) 4 of the statutes is amended to read:~~

~~341.31 (1) (b) 4. The vehicle is a motor truck which has been transferred to the applicant and for which a personalized license plate had been issued to the previous owner, or~~

~~SECTION 1551. 341.31 (4) (b) of the statutes is amended to read:~~

~~341.31 (4) (b) A person retaining a set of plates removed from a motor truck registered under s. 341.29 for 6,000 pounds or less may receive credit for the unused portion of the registration fee paid when registering a replacement motor truck at 6,000 pounds or less.~~

~~SECTION 1551g. 341.32 (1) of the statutes is amended to read:~~

**VETOED**

~~341.32 (1) Whenever the construction or the use of a registered vehicle is changed in a manner making the vehicle subject to a different registration fee than the fee for which the vehicle currently is registered, the owner shall immediately make application for re-registration. The fee payable upon such re-registration shall be computed as for a vehicle not previously registered in this state but a credit shall be allowed for the unused portion of the fee paid for the previous registration if the registration plates plate issued upon the previous registration are returned to the department. Such credit shall be computed on the basis of one-twelfth of the annual registration fee prescribed for the vehicle as previously registered multiplied by the number of months of registration which have not fully expired on the date the vehicle became subject to the different fee. The credit may be applied toward the re-registration of the vehicle only up to the date when the previous registration would have expired.~~

~~SECTION 1551r. 341.335 (1) of the statutes is amended to read:~~

~~341.335 (1) Whenever any person, after applying for and receiving a registration plates plate, moves from the address named in the application for the registration plates plate or when the name of the licensee is changed by marriage or otherwise, the person shall within 10 days notify the department in writing of the old and new address or of such former and new names and of all license plate numbers held.~~

~~SECTION 1554. 341.41 (1) and (1a) of the statutes are amended to read:~~

~~341.41 (1) The secretary with the approval of the governor is authorized to enter into reciprocal agreements with the responsible officers of other jurisdictions as to licenses, permit fees, mileage and flat taxes under which motor vehicles, trailers, or semitrailers properly licensed or registered in other jurisdictions may be operated in interstate commerce in this state without a Wisconsin registration or the payment of permit fees or mileage or flat taxes, provided like privileges are accorded to vehicles owned by Wisconsin residents when operated in such other jurisdictions. Such agreement may include such restrictions, conditions and privileges, including any proportional registration, taxes or fees, as are deemed advisable. Such agreement shall provide that a resident of this state when using the highways of such other jurisdiction shall receive exemptions of a similar kind to a like degree.~~

~~(1a) The secretary with the approval of the governor is authorized to enter into reciprocal agreements with the responsible officers of other jurisdictions as to licenses, permit fees, mileage and flat taxes under which motor vehicles, trailers or semitrailers properly licensed or registered in either jurisdiction, may be operated in intrastate commerce in either jurisdiction without additional base plate registration or the payment of permit fees or mileage or flat taxes, providing like privileges are accorded Wisconsin licensed vehicles when operated in such other jurisdictions, and that this state will obtain a fair and equitable share of license registrations. Such agreement may include such restrictions, conditions and privileges, including any proportional registration, taxes or fees, as are deemed advisable.~~

~~SECTION 1555c. 341.41 (8) of the statutes is amended to read:~~

~~341.41 (8) Residents of the state operating a fleet of 3 or more units consisting of trucks, truck tractors or road tractors with a gross weight of not less than 12,000 pounds shall display a Wisconsin license plates plate for which 100% of the fee has been paid on vehicles not exempt from Wisconsin registration and operated in intrastate commerce. Vehicles engaged in interstate commerce may display a Wisconsin prorated license plates plate for which a proportional registration fee has been paid in addition to a full fee license plate from another jurisdiction. Such proportional registration shall be accomplished either by payment to the department of registration fees in an amount equal to that obtained by applying the proportion of in-state fleet miles divided by the total fleet miles to the total fees which would otherwise be required for the registration of all such vehicles in this state, or by registration of a portion of such vehicles as determined under~~

this subsection. The department may refuse to permit any or all of such vehicles to be registered under apportionment if the department is not satisfied that this state will obtain a fair and equitable share of license registrations of the vehicles comprising such fleet.

SECTION 1555g. 341.52 of the statutes is amended to read:

**341.52 Design of registration plates.** Registration plates for dealers, distributors, manufacturers and transporters are subject to the provisions of s. 341.12 (2) and (3). In addition, each plate shall have displayed upon it a symbol capable of distinguishing it from any other plate which may be issued to the same dealer, distributor, manufacturer or transporter. Plates A plate issued to transporters a transporter also shall have displayed upon them the words "IN TRANSIT".

SECTION 1555L. 341.53 of the statutes is amended to read:

**341.53 (title) Expiration of registration; transferability of plate.** Certificates of registration and registration plates issued to dealers, distributors, manufacturers or transporters shall be issued for the calendar year and are valid only during the calendar year for which issued. Registration plates are A registration plate is transferable from one motor vehicle, trailer or semitrailer to another motor vehicle, trailer or semitrailer and from one mobile home to another

SECTION 1555p. 341.55 (title) of the statutes is amended to read:

**341.55 (title) Penalty for misuse of plate.**

SECTION 1555t. 341.57 (2) of the statutes is amended to read:

341.57 (2) A finance company licensed under s. 138.09 or 218.01, a credit union licensed under ch. 186 or a state bank or a national bank with offices in this state may apply to the department for registration on such form as the department provides. Upon receipt of the application together with a registration fee of \$75, the department shall register the applicant and shall issue one registration plate containing the registration number assigned to the applicant. The department upon receiving a fee of \$5 for each additional plate desired by the applicant shall issue such additional plates as the applicant orders, except that a credit union licensed under ch. 186 may not be issued such additional plates. Section 341.52 applies to the design of the plates. The registration and plates are valid only during the calendar year for which issued. Plates are A plate is transferable from one motor vehicle to another.

SECTION 1555x. 341.63 (3) of the statutes is amended to read:

341.63 (3) Whenever the registration of a vehicle is suspended under this section, the owner or person in possession of the registration plates plate shall forthwith return them to the department. Any person who fails to return the plates plate as required by this section may be required to forfeit not more than \$200.

SECTION 1556. 342.14 (6) of the statutes is repealed.

SECTION 1557. 342.15 (4) (a) of the statutes is amended to read:

342.15 (4) (a) If the vehicle being transferred is an automobile or station wagon registered under the monthly series system or a motor truck for which a personalized license plates have plate has been issued, the owner shall remove the registration plates plate and retain and preserve them if for use on any other vehicle of the same type which may subsequently be registered in his or her name. If the vehicle being transferred is a motor truck registered under the maximum gross weight system for 6,000 pounds or less, the owner shall remove the registration plates plate and retain and preserve them if for use on any other motor truck which may subsequently be registered for not more than 6,000 pounds in his or her name.

SECTION 1557m. 342.15 (4) (b) and (c) of the statutes are amended to read:

~~342.15 (4) (b) If the vehicle being transferred is a vehicle registered under s. 341.26 at a special fee and the new owner will not be entitled to register the vehicle at such fee, the transferor shall remove and destroy the plates plate.~~

Vetoed  
in Part

~~(c) In all other cases the transferor shall permit the plates plate to remain attached to the vehicle being transferred, except that if the vehicle has been junked the transferor shall remove and destroy the plates plate.~~

SECTION 1558. 342.20 (4) of the statutes is amended to read:

342.20 (4) The registers of deeds shall ~~may~~ maintain a file of all memoranda received from the department pursuant to ~~under~~ sub. (3). Such filing, however, is not required for perfection, release or assignment of security interests, which shall be effective upon compliance with ss. 342.19 (2), 342.21, and 342.22.

~~SECTION 1559. 342.34 (1) (c) of the statutes is amended to read.~~

~~342.34 (1) (c) If the motor vehicle is an automobile or station wagon registered under the monthly series system or a motor truck for which a personalized license plates have plate has been issued, the owner shall remove the registration plates plate and retain and preserve them it for use on any other vehicle of the same type which may subsequently be registered in his or her name. If the motor vehicle is a motor truck registered under the maximum gross weight system for 6,000 pounds or less, the owner shall remove the registration plates plate and retain and preserve them it for use on any motor truck which may subsequently be registered for not more than 6,000 pounds in the owner's name. If the motor vehicle is not an automobile or station wagon registered under the monthly series system, or a motor truck for which a personalized license plates have plate has been issued, or a motor truck registered under the maximum gross weight system for 6,000 pounds or less, he or she shall remove and destroy the plates plate.~~

Vetoed  
in Part

SECTION 1560g. 343.10 (1) of the statutes is amended to read:

343.10 (1) If a person has had his or her chauffeur's license revoked he or she may file a petition with the department for a limited chauffeur's license under s. 343.126. If a person has had his or her license revoked or suspended under this chapter and if the person is engaged in an occupation or trade making it essential that he or she operate a motor vehicle, the person may after complying with sub. (2) file with a judge of a court of record in the county of his or her residence or of a municipal court in the county of his or her residence a petition setting forth in detail the need for operating a motor vehicle. Thereupon, if the petitioner has not had his or her license revoked or suspended under this chapter within the one-year period immediately preceding the present revocation or suspension, the judge may order the department to issue an occupational license to the person. ~~For the purpose of determining whether a person has had his or her license revoked or suspended under this chapter within the one-year period immediately preceding the present revocation or suspension, the court shall not consider a prior revocation under s. 343.30 (1q) or 343.305 if the present revocation is under s. 343.30 (1q) or 343.305 and both the prior and present revocations arose out of the same incident or occurrence.~~ The order for issuance of an occupational license shall contain definite restrictions as to hours of the day, not to exceed 12, hours per week, not to exceed 60, type of occupation and areas or routes of travel to be permitted under the license. If the petitioner holds a valid chauffeur's license at the time of filing petition the order for issuance shall further restrict operation under the occupational license to travel only between the licensee's place of residence and his or her place of employment, in addition to operation permitted under the chauffeur's license. The order may permit travel to and from church but the order shall specify the hours during which the travel is to be permitted. The order may permit travel necessary to comply with a rehabilitation driver safety plan ordered under s. 343.30 (1q) or 343.305. The number and seriousness of prior traffic convictions shall be considered in determining whether or when an occupational license shall be issued. A copy of



the petition and the order for the occupational license shall be forwarded to the department. If a certificate of insurance issued by the insurer or an agent of the insurer is submitted to the court and at least 15 days have elapsed since the date of ~~conviction suspension or revocation~~ or, in the case of an appeal which is subsequently dismissed or affirmed, until at least 15 days have elapsed since the date of revocation or suspension following the dismissal or affirmance of the appeal, the court may issue a 30-day temporary occupational license. The license shall be on forms provided to the court by the department. Occupational licenses are subject to the limitations specified in ss. 343.30 (1q) (b), 343.305 (9) (b) and 343.31 (3m).

SECTION 1560i. 343.10 (6) of the statutes is renumbered 343.10 (6) (intro.) and amended to read:

343.10 (6) (intro.) Any person ~~convicted of violating who violates~~ any restriction of an occupational license may, in addition to the immediate revocation of the license, ~~be required to forfeit not less than \$50 nor more than \$200.~~

SECTION 1560k. 343.10 (6) (a) and (b) of the statutes are created to read:

343.10 (6) (a) Shall forfeit not less than \$150 nor more than \$600, except as provided in par. (b).

(b) Shall be fined not less than \$300 nor more than \$1,000 and shall be imprisoned not more than 6 months, if the number of convictions under this section equals 2 or more in a 5-year period.

SECTION 1560m. 343.10 (6m) of the statutes is created to read:

343.10 (6m) The 5-year period under sub. (6) shall be measured from the dates of the violations which resulted in the convictions.

SECTION 1560p. 343.16 (2) (a) of the statutes is amended to read:

343.16 (2) (a) The secretary may require any applicant for a license or any licensed operator to submit to a special examination by such persons or agencies as the secretary may direct to determine incompetency, physical or mental disability, disease or any other condition which might prevent such applicant or licensed person from exercising reasonable and ordinary control over a motor vehicle. When the department requires the applicant to submit to a ~~physical an~~ examination, the applicant shall pay the cost thereof. If the department has a report of 2 or more arrests within a one-year period for any combination of violations of s. 346.63 (1), or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, the department shall determine, by interview or otherwise, whether the operator should submit to an examination under this subsection. The examination may consist of an assessment. If the examination indicates that education or treatment for a disability, disease or condition concerning the use of alcohol or a controlled substance is appropriate, the department may order a driver safety plan in accordance with s. 343.30 (1q). If there is noncompliance with assessment and the driver safety plan, the department shall suspend the person's operating privilege in the manner specified in s. 343.30 (1q) (d).

SECTION 1561. 343.17 (1) (a), (b) and (c) of the statutes are amended to read:

343.17 (1) (a) The department shall issue to every applicant qualifying and who has paid the required fee a license as applied for. The license shall be in one-part and consist of 2 sides. The front side shall bear a distinguishing number assigned to the licensee, the date of expiration of the license, the full name, date of birth and residence address and a brief description of the licensee, and either a facsimile of the licensee's signature or a space upon which the licensee shall write his or her usual signature with pen and ink immediately upon receipt of the license. No license is valid until it has been so signed, unless the facsimile signature of the licensee appears on the license. The brief description of the licensee may not include any mention of race.

(b) ~~The backside~~ A part of the license shall be printed to serve as an authorized donor's card under s. 155.06 (4) (b). If the licensee desires to be a donor he or she may so indicate ~~in the space provided on the backside of the license.~~ The donor may also supply any of the following specific information in the space provided on the ~~backside of the~~ license including specific body parts or organs to be donated, the name of the donee, the purpose for which the gift is made and the surgeon or physician who should carry out the appropriate procedures. ~~The backside of~~ space provided on the license shall be signed by the licensee in the presence of 2 adult witnesses who must sign the license in the donor's presence. ~~The backside of the license may also contain printed license restrictions as required by the division department.~~

(c) The licensee may revoke or amend his or her gift according to s. 155.06 (6). Any donor under par. (b) who revokes his or her gift shall cross out the authorization on ~~the backside of~~ his or her license. The donor amending his or her gift shall apply for a duplicate license according to s. 343.21 (1) (f).

SECTION 1562. 343.17 (3) (b) of the statutes is amended to read:

343.17 (3) (b) The use of the sticker on the motor vehicle operator's license is proper or authorized only if the bearer has indicated his or her intent to make body organs or parts available by filling out the ~~backside of~~ space provided on the license or by carrying a duly signed and witnessed donor card other than the backside of the license as authorized by s. 155.06.

SECTION 1562g. 343.17 (4) of the statutes is amended to read:

343.17 (4) ~~The~~ Subject to the requirements under sub. (1) (a), the department shall promulgate by rule the design and specifications for photo licenses issued under sub. (2). The department shall promulgate by rule any subsequent change to the design or specifications for photo licenses.

SECTION 1562r. 343.20 (1m) of the statutes is created to read:

343.20 (1m) In instituting the system of license renewal the department may, for the purpose of gaining a uniform rate of renewals involving examinations required under s. 343.16 (1) (a) 2, issue renewal licenses which may be valid for a period of 2 years as prescribed in s. 343.20, 1977 stats. The fees for the licenses issued under this subsection shall be the fees in effect prior to January 1, 1982.

SECTION 1563. 343.21 (1) (a) of the statutes is repealed and recreated to read:

343.21 (1) (a) For the issuance of an instruction permit, \$10.

SECTION 1564. 343.21 (1) (f) of the statutes is amended to read:

343.21 (1) (f) For the issuance of a duplicate license, \$4, ~~except that no fee may be charged if the reason for issuance of the duplicate license is a change of name and the original license is returned with the application.~~

SECTION 1565. 343.21 (1) (k) of the statutes is created to read:

343.21 (1) (k) For the reinstatement of a license after suspension under s. 344.14, \$25.

SECTION 1568. 343.30 (1q) (a) of the statutes is amended to read:

343.30 (1q) (a) Upon the conviction of any person for violation of s. 346.63 (1) or a local ordinance in conformity therewith, the trial court may, with the person's consent and prior to sentencing the person, order him or her to submit to an assessment by an approved public treatment facility as defined in s. 51.45 (2) (c) by examination of the person's use of alcohol or controlled substances and development of a rehabilitation plan for the person. The court may develop criteria to use in determining whether assessment is needed. In developing these criteria, the court shall consult with a board established under s. 51.42. If the court initially finds that assessment is not needed, it shall, with the person's consent, order attendance at a school under s. 345.60. If the school under s.

345.60 finds that assessment is needed, it shall report this to the court and the court may, with the person's consent, order assessment as provided in this paragraph for rehabilitative purposes. The department of health and social services shall establish standards for assessment procedures and rehabilitation plan programs by rule. The department of health and social services shall establish by rule conflict of interest guidelines for providers. Prior to developing a plan which specifies treatment, the facility shall make a finding that treatment is necessary and appropriate services are available. The facility shall submit a report of the assessment and the rehabilitation plan within 14 days to the court, the department and the person, except that upon request by the facility and the person, the court may extend the period for assessment. The report submitted to the person shall contain a statement that compliance with the rehabilitation plan shall not be in lieu of any revocation period, forfeiture, fine or imprisonment unless the court orders the person to comply with the rehabilitation plan recommended by the facility. Upon receipt of the report the court may, with the person's written consent, order the person to comply with the rehabilitation plan recommended by the facility. If the court orders assessment or rehabilitation under this paragraph, it shall inform the person ~~that of the fee may be reduced or waived~~ provisions under s. 46.03 (18) (f) ~~if the person is unable to pay the complete fee.~~ The court may require the person to appear before the court, in chambers, for the purpose of considering the rehabilitation plan and obtaining the person's written consent if it deems the appearance appropriate. The rehabilitation plan may include treatment for the person's misuse, abuse or dependence on alcohol or controlled substances, attendance at a school under s. 345.60, or both. If the plan requires inpatient treatment, the treatment shall not exceed 30 days. An order for rehabilitation under this paragraph shall include a termination date consistent with the plan but ~~in no case shall~~ the order shall not extend beyond one year. A person who fails substantially to comply with rehabilitation ordered under this paragraph shall have his or her operating privilege revoked by the court under par. (c) or (d).

SECTION 1568a. 343.30 (1q) of the statutes, as affected by chapter .... (this act), laws of 1981, is repealed and recreated to read:

343.30 (1q) (a) If a person is convicted under s. 346.63 (1) or a local ordinance in conformity therewith, the court shall proceed under this subsection. If a person is convicted under s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, the court shall proceed under pars. (c) and (d). If a person is referred by the department acting under s. 343.16 (2) (a), the department shall proceed under pars. (c) and (d) without the order of the court.

(b) 1. The court shall suspend or revoke the person's operating privilege under this paragraph according to the number of previous improper refusals under s. 343.305 (8) or convictions under s. 346.63 (1), or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle. Refusals and convictions arising out of the same incident shall be counted as one.

2. Except as provided in subd. 3 or 4, for the first such conviction, the court shall suspend the person's operating privilege for not less than 3 months nor more than 6 months. The person is eligible for an occupational license under s. 343.10 at any time.

3. If the number of refusals and convictions within a 5-year period equals 2, the court shall revoke the person's operating privilege for not less than 6 months nor more than one year. After the first 30 days of the revocation period, the person is eligible for an occupational license under s. 343.10.

4. If the number of refusals and convictions within a 5-year period equals 3 or more, the court shall revoke the person's operating privilege for not less than one year nor more than 2 years. After the first 60 days of the revocation period, the person is eligible for an occupational license under s. 343.10.

5. The 5-year period under this paragraph shall be measured from the dates of the refusals or violations which resulted in the revocations or convictions.

6. The court may not issue a temporary occupational license under s. 343.10 (1) to a person under this subsection before he or she is eligible for an occupational license.

(c) The court shall order the person to submit to and comply with an assessment by an approved public treatment facility as defined in s. 51.45 (2) (c) for examination of the person's use of alcohol or controlled substances and development of a driver safety plan for the person. The court shall notify the department of transportation of the assessment order. The court shall notify the person that noncompliance with assessment or the driver safety plan will result in license suspension until the person is in compliance. The department of health and social services shall establish standards for assessment procedures and the driver safety plan programs by rule. The department of health and social services shall establish by rule conflict of interest guidelines for providers. Prior to developing a plan which specifies treatment, the facility shall make a finding that treatment is necessary and appropriate services are available. The facility shall submit a report of the assessment and the driver safety plan within 14 days to the board established under s. 51.42 or its approved agency, the department of transportation and the person, except that upon request by the facility and the person, the board may extend the period for assessment for not more than 20 additional workdays. The board shall notify the department of transportation regarding any such extension.

(d) The assessment report shall order compliance with a driver safety plan. The report shall inform the person of the fee provisions under s. 46.03 (18) (f). The driver safety plan may include treatment for the person's misuse, abuse or dependence on alcohol or controlled substances, or attendance at a school under s. 345.60, or both. If the plan requires inpatient treatment, the treatment shall not exceed 30 days. A driver safety plan under this paragraph shall include a termination date consistent with the plan which shall not extend beyond one year. The board or its approved agency shall assure notification of the department of transportation and the person of the person's compliance or noncompliance with assessment and with treatment. The school under s. 345.60 shall notify the department, the board or its approved agency and the person of the person's compliance or noncompliance with the requirements of the school. Nonpayment of the assessment fee is noncompliance with the court order. If the department is notified of any noncompliance, it shall suspend the person's operating privilege until the board or its approved agency or the school under s. 345.60 notifies the department that the person is in compliance with assessment or the driver safety plan. The department shall notify the person of the suspension, the reason for the suspension and the person's right to a review. A person may request a review of a suspension based upon failure to comply with a driver safety plan within 10 days of notification. The review shall be handled by the subunit of the department of transportation designated by the secretary. The issues at the review are limited to whether the driver safety plan, if challenged, is appropriate and whether the person is in compliance with the assessment order or the driver safety plan. The review shall be conducted within 10 days after a request is received. If the driver safety plan is determined to be inappropriate, the department shall order a reassessment and if the person is otherwise eligible, the department shall reinstate the person's operating privilege. If the person is determined to be in compliance with the assessment or driver safety plan, and if the person is otherwise eligible, the department shall reinstate the person's operating privilege. If there is no decision within the 10-day period, the department shall issue an order reinstating the person's operating privilege until the review is completed, unless the delay is at the request of the person seeking the review.

(e) Notwithstanding par. (c), if the court finds that the person is already covered by an assessment or is participating in a driver safety plan or has had evidence presented to it by a board established under s. 51.42 or its approved agency that the person has recently completed assessment, a driver safety plan or both, the court is not required to make an

order under par. (c). This paragraph does not prohibit the court from making an order under par. (c), if it deems such an order advisable.

(f) The department may make any order which the court is authorized or required to make under this subsection if the court fails to do so.

(g) If a person licensed as a chauffeur is convicted of a violation of s. 346.63 (1) or a local ordinance in conformity therewith and the person was not operating a vehicle as a chauffeur at the time of violation, his or her chauffeur's license shall not be suspended or revoked under this subsection.

(h) The court shall provide that the period of suspension or revocation imposed under this subsection be reduced by any period of suspension or revocation previously imposed under s. 343.305 if the suspension or revocation under s. 343.305 and the conviction for violation of s. 346.63 (1) or a local ordinance in conformity therewith arise out of the same incident or occurrence.

SECTION 1568b. 343.303 of the statutes is created to read:

**343.303 Preliminary breath screening test.** If a law enforcement officer has probable cause to believe that the person is violating or has violated s. 346.63 (1) or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25 or s. 940.09 where the offense involved the use of a vehicle, the officer, prior to an arrest, may request the person to provide a sample of his or her breath for a preliminary breath screening test using a device approved by the department for this purpose. The result of this preliminary breath screening test may be used by the law enforcement officer for the purpose of deciding whether or not the person shall be arrested for a violation of s. 346.63 (1) or a local ordinance in conformity therewith, or s. 346.63 (2), 940.09 or 940.25 and whether or not to require chemical tests as authorized under s. 343.305 (2) (b). The result of the preliminary breath screening test shall not be admissible in any action or proceeding except to show probable cause for an arrest, if the arrest is challenged, or to prove that a chemical test was properly required of a person under s. 343.305 (2) (b) or (c). Following the screening test, additional tests may be required of the driver under s. 343.305 (2) (b) or (c). The general penalty provision under s. 939.61 (1) does not apply to a refusal to take a preliminary breath screening test.

SECTION 1568bm. 343.305 (title) of the statutes is amended to read:

**343.305 (title) Refusal to submit to chemical tests.**

SECTION 1568c. 343.305 (1) of the statutes is amended to read:

343.305 (1) Any person who drives or operates a motor vehicle upon the public highways of this state, or in those areas enumerated in s. 346.61, shall be deemed to have given consent to one or more tests of his or her breath, blood or urine, for the purpose of determining the presence or quantity in his or her blood, of alcohol or controlled substances or a combination of alcohol and controlled substances when requested to do so by a law enforcement officer under sub. (2). Any such ~~test tests~~ shall be administered upon the request of a law enforcement officer. ~~A law enforcement officer may administer a preliminary breath test under sub. (2) (a).~~ The law enforcement agency by which the officer is employed shall be prepared to administer, either at its agency or any other agency or facility, 2 of the 3 tests under sub. (2) (b), and may designate which of the tests shall be administered first.

SECTION 1568d. 343.305 (2) (a) of the statutes is repealed.

SECTION 1568e. 343.305 (2) (am) of the statutes is repealed.

SECTION 1568f. 343.305 (2) (b) of the statutes is amended to read:

343.305 (2) (b) A law enforcement officer may, upon arrest of and issuance of a citation to a person for violation of s. 346.63 (1) or a local ordinance in conformity therewith, or upon arrest for a violation of s. 346.63 (2) or 940.25, or s. 940.09 where the

offense involved the use of a vehicle, request the person to provide ~~a sample~~ one or more samples of his or her breath, blood or urine for the purpose specified under sub. (1).

SECTION 1568g. 343.305 (2) (c) of the statutes is amended to read:

343.305 (2) (c) A person who is unconscious or otherwise not capable of withdrawing consent is presumed not to have withdrawn consent under this subsection, and if a law enforcement officer has probable cause to believe that the person has violated s. 346.63 (1) or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, the person may be arrested therefor and a ~~test~~ one or more tests may be administered to the person.

SECTION 1568gm. 343.305 (2) (d) of the statutes is created to read:

343.305 (2) (d) This section does not limit the right of a law enforcement officer to obtain evidence by any other lawful means.

SECTION 1568h. 343.305 (3) (a) 2 of the statutes is amended to read:

343.305 (3) (a) 2. That if he or she refuses to submit to any such test, ~~except as permitted under sub. (2) (a)~~, his or her operating privilege shall be revoked ~~for not less than 6 months nor more than one year~~ under sub. (9); and

SECTION 1568i. 343.305 (3) (b) and (c) of the statutes are repealed and recreated to read:

343.305 (3) (b) If the person refuses the request of a law enforcement officer to submit to a test under sub. (2), the officer shall immediately prepare a notice of intent to revoke the person's operating privilege, take possession of the person's operator's license, issue a dated receipt and a copy of the notice of intent to revoke the person's operator's license to the operator and mail a copy of the receipt, a copy of the notice of intent to revoke the person's operating privilege and the operator's license to the circuit court for the county in which the refusal is made. The officer shall submit or mail copies of the notice of intent to revoke the person's operating privilege to the department and the district attorney. The notice of intent to revoke the person's operating privilege shall contain the following information:

1. That prior to a request under sub. (2) (b), the officer had placed the person under arrest and issued a citation, if appropriate, for a violation of 346.63 (1) or a local ordinance in conformity therewith or s. 346.63 (2), 940.09 or 940.25.
2. That the officer complied with par. (a).
3. That the person refused a request under sub. (2) (b).
4. That the person may request a hearing on the revocation within 10 days by mailing or delivering a written request to the court whose address is specified in the notice. If no request for a hearing is received within the 10-day period, the revocation period commences 30 days after the notice is issued.
5. That the issues of the hearing are limited to:
  - a. Whether the officer had probable cause to believe the person was driving or operating a motor vehicle while under the influence of alcohol, a controlled substance or a combination of both and whether the person was lawfully placed under arrest for violation of s. 346.63 (1) or a local ordinance in conformity therewith or s. 346.63 (2), 940.09 or 940.25.
  - b. Whether the officer complied with par. (a).
  - c. Whether the person refused to permit the test.
  - d. The person shall be deemed not to have refused the test if it is shown by a preponderance of evidence that the refusal was due to a physical inability to submit to the test due to a physical disability or disease unrelated to the use of alcohol or controlled substances.

6. That if it is determined that the person refused the test, there will be an order for the person to comply with assessment and a driver safety plan.

(c) The receipt given the operator shall clearly state the date of the refusal and shall serve as a driving permit for 30 days from the date of the refusal. If further proceedings or hearings on the refusal issues are necessary, the court shall certify the receipt for additional periods, not to exceed 30 days, until there is a final determination of whether the person's operating privilege shall be revoked under this section.

SECTION 1568j. 343.305 (3) (d) of the statutes is created to read:

343.305 (3) (d) The use of the notice under par. (b) by a law enforcement officer in connection with the enforcement of this section is adequate process to give the appropriate court jurisdiction over the person.

SECTION 1568k. 343.305 (5) of the statutes is amended to read:

343.305 (5) In addition to a test administered upon the request of a law enforcement officer under sub. (2), a person who was the operator of a motor vehicle involved in an accident resulting in great bodily harm or death to any person or a person arrested for a violation of s. 346.63 (1) or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 if the offense involved the use of a vehicle, shall be permitted, upon his or her request, the alternative test provided by the agency under sub. (1) or, at his or her own expense, reasonable opportunity to have any qualified person of his or her own choosing administer a chemical test for the purpose specified under sub. (1). If a person has been arrested for such a violation and he or she has not been requested to provide a sample for a test under sub. (2) (b), the person may request a breath test to be administered by the agency or, at his or her own expense, reasonable opportunity to have any qualified person administer any test specified under sub. (2) (b). The failure or inability of a person to obtain a test at his or her own expense shall not preclude the admission of evidence of the results of any test administered under sub. (2) (b). If a person requests the agency to administer a breath test and if the agency is unable to perform that test, the person may request the agency to perform a test under sub. (2) (b) that it is able to perform. The agency shall comply with a request made in accordance with this subsection.

SECTION 1568m. 343.305 (6) (a) of the statutes is amended to read:

343.305 (6) (a) Blood may be withdrawn from the person arrested ~~for the purpose of determining for violation of s. 30.68 (1), 346.63 (1) or (2), 350.10 (3) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, or a local ordinance in conformity with s. 346.63 (1) or 350.10 (3) to determine the presence or quantity of alcohol or controlled substance or a combination of alcohol and a controlled substance in the blood~~ only by a physician, registered nurse, medical technologist, physician's assistant or person acting under the direction of a physician.

SECTION 1568n. 343.305 (7) of the statutes is amended to read:

343.305 (7) At the trial of any civil or criminal action or proceeding arising out of the acts committed by a person alleged to have been driving or operating a motor vehicle while under the influence of an intoxicant or a controlled substance or a combination of alcohol and a controlled substance, the results of a test administered under sub. (2) (b) or (c) or (5) are admissible on the issue of whether the person was under the influence of an intoxicant or a controlled substance or a combination of alcohol and a controlled substance. Test results shall be given the effect required under s. 885.235 ~~and, if applicable, s. 346.63 (4),~~ except as provided in ss. 346.63 (1) and (2), 940.09 and 940.25.

SECTION 1568p. 343.305 (8) of the statutes is repealed and recreated to read:

343.305 (8) (a) If a law enforcement officer informs the circuit court that a person has refused to submit to a test under sub. (2), the court shall be prepared to hold any requested hearing to determine if the refusal was proper. The scope of the hearing shall

be limited to the issues outlined in sub. (3) (b) 5. Section 967.055 applies to any hearing under this subsection.

(b) At the close of the hearing, or within 5 days thereafter, the court shall determine the issues under sub. (3) (b) 5. If all issues are determined adversely to the person, the court shall proceed under sub. (9). If one or more of the issues is determined favorably to the person, the court shall order that no action be taken on the operating privilege on account of the person's refusal to take the test in question. This section does not preclude the prosecution of the person for violation of s. 346.63 (1) or a local ordinance in conformity therewith, s. 346.63 (2), 940.09 or 940.25.

SECTION 1568q. 343.305 (9) of the statutes, as affected by chapter .... (this act), laws of 1981, is repealed and recreated to read:

343.305 (9) (a) If the court determines under sub. (8) that a person improperly refused to take a test or if the person does not request a hearing within 10 days after the person has been served with the notice of intent to revoke the person's operating privilege, the court shall proceed under this subsection. If no hearing was requested, the revocation period shall begin 30 days after the date of the refusal. If a hearing was requested, the revocation period shall commence 30 days after the date of refusal or immediately upon a final determination that the refusal was improper, whichever is later.

(b) 1. The court shall revoke the person's operating privilege under this paragraph according to the number of previous improper refusals under sub. (8) or convictions under s. 343.63 (1) or a local ordinance in conformity therewith, or s. 343.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle. Refusals and convictions arising out of the same incident shall be counted as one.

2. Except as provided in subd. 3 or 4, for the first improper refusal, the court shall revoke the person's operator's license for 6 months. After the first 15 days of the revocation period, the person is eligible for an occupational license under s. 343.10.

3. If the number of refusals and convictions in a 5-year period equals 2, the court shall revoke the person's operating privilege for one year. After the first 60 days of the revocation period, the person is eligible for an occupational license under s. 343.10.

4. If the number of refusals and convictions in a 5-year period equals 3 or more, the court shall revoke the person's operating privilege for 2 years. After the first 90 days of the revocation period, the person is eligible for an occupational license under s. 343.10.

5. The 5-year period under this paragraph shall be measured from the dates of the refusals or violations which resulted in revocations or convictions.

6. The court may not order a temporary occupational license under s. 343.10 (1) to a person under this subsection before he or she is eligible for an occupational license.

(c) The court shall order the person to submit to and comply with an assessment by an approved public treatment facility as defined in s. 51.45 (2) (c) for examination of the person's use of alcohol or controlled substances and development of a driver safety plan for the person. The court shall notify the person and the department of transportation of the assessment order. The court shall also notify the person that noncompliance with assessment or the driver safety plan will result in license suspension until the person is in compliance. The department of health and social services shall establish standards for assessment procedures and the driver safety plan programs by rule. The department of health and social services shall establish by rule conflict of interest guidelines for providers. Prior to developing a plan which specifies treatment, the facility shall make a finding that treatment is necessary and appropriate services are available. The facility shall submit a report of the assessment and the driver safety plan within 14 days to the board established under s. 51.42 or its approved agency, the department of transportation and the person, except that upon request by the facility and the person, the board may extend



the period for assessment for not more than 20 additional workdays. The board shall notify the department of transportation regarding any such extension.

(d) The assessment report shall order compliance with a driver safety plan. The report shall inform the person of the fee provisions under s. 46.03 (18) (f). The driver safety plan may include treatment for the person's misuse, abuse or dependence on alcohol or controlled substances, attendance at a school under s. 345.60, or both. If the plan requires inpatient treatment, the treatment shall not exceed 30 days. A driver safety plan under this paragraph shall include a termination date consistent with the plan which shall not extend beyond one year. The board or its approved agency shall assure notification of the department of transportation and the person of the person's compliance or noncompliance with assessment and treatment. The school under s. 345.60 shall notify the department, the board or its approved agency and the person of the person's compliance or noncompliance with the requirements of the school. Nonpayment of the assessment fee is noncompliance with the court order. If the department is notified of noncompliance, it shall suspend the person's operating privilege until the board or its approved agency or the school under s. 345.60 notifies the department that the persons is in compliance with assessment or the driver safety plan. The department shall notify the person of the suspension, the reason for the suspension and the person's right to a review. A person may request a review of a suspension based upon failure to comply with a driver safety plan within 10 days of notification. The review shall be handled by the subunit of the department of transportation designated by the secretary. The issues at the review are limited to whether the driver safety plan, if challenged, is appropriate and whether the person is in compliance with the assessment order or the driver safety plan. The review shall be conducted within 10 days after a request is received. If the driver safety plan is determined to be inappropriate, the department shall order a reassessment and if the person is otherwise eligible, the department shall reinstate the person's operating privilege. If the person is determined to be in compliance with the assessment or driver safety plan, and if the person is otherwise eligible, the department shall reinstate the person's operating privilege. If there is no decision within the 10-day period, the department shall issue an order reinstating the person's operating privilege until the review is completed, unless the delay is at the request of the person seeking the review.

(e) Notwithstanding par. (c), if the court finds that the person is already covered by an assessment or is participating in a driver safety plan or has had evidence presented to it by a board established under s. 51.42 or its approved agency that the person has recently completed assessment, a driver safety plan or both, the court is not required to make an order under par. (c). This paragraph does not prohibit the court from making an order under par. (c), if it deems such an order advisable.

(f) The department may make any order which the court is authorized or required to make under this subsection if the court fails to do so.

(g) The court shall provide that the period of revocation imposed under this subsection be reduced by any period of suspension or revocation previously imposed under s. 343.30 (1q) if both suspensions or revocations arose out of the same incident or occurrence.

SECTION 1569. 343.305 (9) (a) of the statutes is amended to read:

343.305 (9) (a) When directed to proceed under this subsection by sub. (8) the court may, with the person's consent, order the person to submit to an assessment by an approved public treatment facility as defined in s. 51.45 (2) (c) by examination of the person's use of alcohol or controlled substances and development of a rehabilitation plan for the person. The court may develop criteria to use in determining whether assessment is needed. In developing these criteria, the court shall consult with a board established under s. 51.42. If the court initially finds that assessment is not needed, it shall, with the person's consent, order attendance at a school under s. 345.60. If the school under s. 345.60 finds that assessment is needed, it shall report this to the court and the court may,

with the person's consent, order assessment as provided in this paragraph for rehabilitative purposes. The department of health and social services shall establish standards for assessment procedures and rehabilitation plan programs by rule. The department shall establish by rule conflict of interest guidelines for providers. Prior to developing a plan which specifies treatment, the facility shall make a finding that treatment is necessary and appropriate services are available. The facility shall submit a report of the assessment and the rehabilitation plan within 14 days to the court, the department and the person, except that upon request by the facility and the person, the court may extend the period for assessment. The report submitted to the person shall contain a statement that compliance with the rehabilitation plan shall not be in lieu of any revocation period, forfeiture, fine or imprisonment unless the court orders the person to comply with the rehabilitation plan recommended by the facility. Upon receipt of the report the court may, with the person's written consent, order the person to comply with the rehabilitation plan recommended by the facility. If the court orders assessment or rehabilitation under this paragraph, it shall inform the person ~~that of the fee may be reduced or waived~~ provisions under s. 46.03 (18) (f) ~~if the person is unable to pay the complete fee.~~ The court may require the person to appear before the court, in chambers, for the purpose of considering the rehabilitation plan and obtaining the person's written consent if it deems the appearance appropriate. The rehabilitation plan may include treatment for the person's misuse, abuse or dependence on alcohol or controlled substances, attendance at a school under s. 345.60, or both. If the plan requires inpatient treatment, the treatment shall not exceed 30 days. An order for rehabilitation under this paragraph shall include a termination date consistent with the plan but ~~in no case shall~~ the order shall not extend beyond one year. A person who fails substantially to comply with rehabilitation ordered under this paragraph shall have his or her operating privileges revoked by the court under par. (c) or (d).

SECTION 1569b. 343.305 (10) (c) of the statutes is amended to read:

343.305 (10) (c) The department of transportation may promulgate rules pertaining to the calibration and testing of preliminary breath screening test devices.

SECTION 1569c. 343.305 (10) (d) of the statutes is created to read:

343.305 (10) (d) Each breathalyzer test ampoule which has been used in the test of a person to determine the alcohol content of breath shall be preserved, subject to the following conditions:

1. Upon the completion of the chemical analysis of the person's breath, the person shall be informed that:

a. The test ampoule shall be preserved for a period of 30 days after the test was given.

b. During the 30-day period, the person may request the agency employing the person who conducted the analysis to transfer the test ampoule to an independent laboratory for preservation and testing. The person making the request shall pay a fee, set by and payable to the law enforcement authority, for the actual cost of transferring the ampoule. The person shall also pay a fee, set by the department of transportation by rule, for the cost of preserving the ampoule during all or part of the 30-day period. The fee shall be deposited in the transportation fund.

c. If the person does not request the test ampoule preserved during the 30 days, the ampoule shall be destroyed by the agency employing the person who conducted the analysis.

2. All forms, reports and preservation containers required to fulfill the requirements of this paragraph shall be furnished by the department.

SECTION 1569d. 343.307 of the statutes is amended to read:

**343.307 Prior convictions to be counted.** For purposes of counting the number of refusals, revocations and convictions under s. 343.30 (1q) ~~(d)~~, 343.305 (8) or (9) ~~(d)~~ or 346.65 (2) ~~(a) 2 or 3~~ on and after July 1, 1978, convictions for violations under s. 346.63

(1), or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, prior to and after the treatment of that section by chapter 193, laws of 1977, shall be counted and given the effect specified under s. 343.30 (1q) ~~(d)~~, 343.305 (8) or (9) ~~(d)~~ or 346.65 (2) ~~(a) 2 or 3~~ on and after July 1, 1978.

SECTION 1569e. 343.31 (1) (am) of the statutes is created to read:

343.31 (1) (am) Injury by the negligent operation of a vehicle while under the influence of an intoxicant or a controlled substance or a combination of an intoxicant and a controlled substance or while the person has a blood alcohol concentration of 0.1% or more by weight of alcohol in that person's blood or 0.1 grams or more of alcohol in 210 liters of that person's breath and which is criminal under s. 346.63 (2).

SECTION 1569f. 343.31 (3) (e) to (h) of the statutes are created to read:

343.31 (3) (e) Any person convicted under s. 346.63 (2) shall have his or her operating privilege revoked for not less than one year nor more than 2 years.

(f) Any person convicted under s. 940.25 shall have his or her operating privilege revoked for 2 years.

(g) Any person convicted for operating a motor vehicle while operating privileges are suspended or revoked shall have his or her operating privilege revoked for 6 months.

(h) Any person subject to s. 343.10 (6) shall have his or her operating privilege revoked for 6 months.

SECTION 1569g. 343.31 (3m) of the statutes is created to read:

343.31 (3m) (a) Any person who has his or her operating privilege revoked under sub. (3) (c) or (f) may apply for an occupational license under s. 343.10 after the first 120 days of the revocation period.

(b) Any person who has his or her operating privilege revoked under sub. (3) (e) may apply for an occupational license under s. 343.10 after the first 60 days of the revocation period.

SECTION 1569h. 343.44 (2) of the statutes is repealed and recreated to read:

343.44 (2) Any person violating this section:

(a) 1. Except as provided in subd. 2, for the first conviction within 5 years the person shall forfeit not less than \$150 nor more than \$600.

2. If the revocation which is the basis of a violation of this section was imposed as a result of a conviction under s. 346.04 (3), 346.63 (1) or (2), 346.67, 940.06, 940.08, 940.09 or 940.25 or a local ordinance in conformity with s. 346.63 (1) or for any felony in the commission of which a motor vehicle was used, for the first conviction the person shall be fined not less than \$150 nor more than \$600 and shall be imprisoned for not more than 6 months.

(b) For a 2nd conviction within 5 years a person shall be fined not less than \$300 nor more than \$1,000 and shall be imprisoned not less than 10 days nor more than 6 months.

(c) For a 3rd conviction within 5 years a person shall be fined not less than \$1,000 nor more than \$2,000 and shall be imprisoned not less than 30 days nor more than 9 months.

(d) For a 4th conviction within 5 years, a person shall be fined not less than \$1,500 nor more than \$2,000 and shall be imprisoned not less than 60 days nor more than one year in the county jail.

(e) For a 5th or subsequent conviction within 5 years a person shall be fined not less than \$2,000 nor more than \$2,500 and shall be imprisoned for not less than 6 months nor more than one year in the county jail.

SECTION 1569i. 343.44 (3) to (5) of the statutes are created to read:

343.44 (3) Refusal to accept or failure to receive an order of revocation or suspension mailed by 1st class mail to such person's last-known address shall not be a defense to the charge of driving after revocation or suspension. If the person has changed his or her address and fails to notify the department as required in s. 343.22 then failure to receive notice of revocation or suspension shall not be a defense to the charge of driving after revocation or suspension.

(4) In addition to other penalties for violation of this section, if a person has violated this section with respect to a motor vehicle which he or she is the owner, the court may order the vehicle impounded. The court may determine the manner and period of impoundment. The cost of keeping the vehicle constitutes a lien on the vehicle.

(5) If a motor vehicle impounded under sub. (4) is subject to a security agreement or lease contract, the vehicle shall be released by the court to the lessor or secured creditor upon the filing of an affidavit by the lessor or secured creditor that the security agreement or lease contract is in default and shall be delivered to the lessor or secured creditor upon payment of the accrued cost of keeping the motor vehicle.

SECTION 1569m. 343.51 (1) of the statutes is amended to read:

~~343.51 (1) Any person who qualifies for license plates a registration plate of a special design under ss. s. 341.14 (1), (1a), (1m) or (1q), or any person who is temporarily physically disabled by any physical condition which renders the person unable to walk or unable to walk without great difficulty, may request from the department a special identification card which will entitle any motor vehicle parked by, or under the direction of, such person to parking privileges under s. 346.50 (2), (2a) and (3). The department shall issue such a card at a fee to be determined by the department, upon submission by the applicant of a statement from a physician qualified to practice medicine in this state that such person is a physically disabled person within the meaning of this section. The physician's statement shall state whether the disability is permanent or temporary, and if temporary, the opinion of the physician as to the duration of the disability.~~

Vetoed  
in Part

SECTION 1591. 344.05 (1) of the statutes is amended to read:

344.05 (1) Whenever any judgment in excess of ~~\$100~~ \$500 for damages arising out of a motor vehicle accident is not satisfied within 30 days after its having become final by expiration without appeal of the time within which an appeal might have been perfected or by final affirmation on appeal, the clerk of the court in which such judgment was rendered, or the judge if the court has no clerk, shall forthwith forward to the secretary a certified copy of such judgment upon request of the judgment creditor or the attorney of record for the judgment creditor.

SECTION 1592. 344.12 of the statutes is amended to read:

**344.12 Applicability of provisions relating to deposit of security for past accidents.** Subject to the exceptions contained in s. 344.14, the provisions of this chapter requiring deposit of security and requiring suspension for failure to deposit security apply to the operator and owner of every motor vehicle which is in any manner involved in an accident in this state which has resulted in bodily injury to or death of any person or damage to property of any other person in excess of ~~\$200~~ \$500.

SECTION 1593. 344.14 (2) (e) of the statutes is amended to read:

344.14 (2) (e) To the operator or owner of a vehicle involved in an accident wherein no injury was caused to the person of anyone other than such operator or owner and wherein damage to property of any one person other than such operator or owner did not exceed ~~\$200~~ \$500.

SECTION 1594. 344.18 (1) (intro.) of the statutes is amended to read:

344.18 (1) (intro.) Any operating privilege or registration suspended as provided in s. 344.14 shall remain suspended and shall not be renewed or reinstated until the fee required under s. 343.21 (1) (k) has been paid and one of the following requirements has been met:

SECTION 1595. 344.18 (2) and (3) (intro.) of the statutes are amended to read:

344.18 (2) If there is any default in the payment of any instalment under any confession of judgment, the secretary, upon notice of such default given within the terms of the instalment agreement or in no event later than 30 days after the time for the final instalment, shall forthwith suspend the operating privilege and registrations of the defaulting person, which suspension shall remain in effect until the fee required under s. 343.21 (1) (k) has been paid and the entire amount provided for in the confession of judgment has been paid.

(3) (intro.) If there is any default in the payment of any instalment under a duly acknowledged written agreement, the secretary, upon notice of such default given in no event later than 30 days after the time for final instalment, shall forthwith suspend the operating privilege and registrations of the defaulting person, which suspension shall remain in effect until the fee required under s. 343.21 (1) (k) has been paid and one of the following requirements has been met:

SECTION 1596. 344.18 (3) (b) of the statutes is amended to read:

344.18 (3) (b) One year has elapsed since the ~~date when the security was required~~ effective date of the suspension order and, during such period, no notice has been filed with the secretary by any claimant that an action was commenced by a party in interest within the one-year period following the date when such security was required or by service of counterclaim or cross-complaint within the 20-day answer period. The notice required by this paragraph shall comply with sub. (1) (d).

SECTION 1597. 344.25 (intro.) of the statutes is amended to read:

**344.25 Revocation of license and registration for nonpayment of judgment; exceptions.** (intro.) Upon the receipt, pursuant to under s. 344.05, of a certified copy of a judgment for damages in excess of ~~\$100~~ \$500 arising out of a motor vehicle accident, the secretary shall forthwith revoke the operating privilege and all registrations of the person against whom such judgment was rendered, subject to the following exceptions:

~~SECTION 1597m. 344.45 of the statutes is amended to read:~~

~~344.45 Surrender of license and registration upon suspension. (1) Whenever a person's operating privilege or registration is revoked or suspended under this chapter, the department shall also order such person to surrender to the department his or her license and the registration plate or plates of the vehicle or vehicles for which registration was revoked or suspended. If such the person fails forthwith to return such the license, and registration plate or plates to the department immediately after receiving the order, the department shall direct a traffic officer to take possession thereof of the license and registration plate and return them to the department.~~

Vetoed  
in Part

~~(2) Any person who intentionally fails or refuses to return a license and registration plate or plates as required by this section may be required to forfeit not more than \$100.~~

SECTION 1597q. 345.20 (2) (c) of the statutes is created to read:

345.20 (2) (c) Section 967.055 applies to traffic forfeiture actions for violations of s. 346.63 (1) or a local ordinance in conformity therewith.

SECTION 1597r. 345.24 of the statutes is amended to read:

**345.24 Officer's action after arrest for driving under influence of intoxicant.** A person arrested under s. 346.63 or an ordinance in conformity therewith ~~for operating a motor vehicle while under the influence of an intoxicant or s. 346.63 (2) or 940.25, or s. 940.09~~ where the offense involved the use of a vehicle, may not be released until 4 1/2 hours have

elapsed from the time of his or her arrest or unless a chemical test administered under s. 343.305 (2) (b) shows that there is ~~.05%~~ 0.05% or less by weight of alcohol in the person's blood or 0.05 grams or less of alcohol in 210 liters of the person's breath, but the person may be released to his or her attorney, spouse, relative or other responsible adult at any time after arrest.

SECTION 1598c. 345.60 (3) of the statutes is amended to read:

345.60 (3) In addition to other penalties provided by law for violation of s. 346.63 (1) or a local ordinance in conformity therewith, ~~the trial court may in its judgment of conviction order or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, the convicted person may be required under s. 343.30 (1q) to attend, for a certain number of school days, a school under sub. (1).~~

SECTION 1598e. ~~346.50 (2) of the statutes is amended to read:~~

~~346.50 (2) An automobile or motor home bearing a special registration plate issued under s. 341.14 (1) is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the disabled veteran to whom the special plates were plate was issued and to qualified operators acting under the disabled veteran's express direction with the disabled veteran present.~~

SECTION 1598m. 346.50 (2a) (intro.) to (e) of the statutes are amended to read:

~~346.50 (2a) (intro.) An automobile or motor home bearing a special registration plates plate issued under s. 341.14 (1a), (1m) or (1q) or a motor vehicle upon which a special identification card issued under s. 343.51 is displayed is exempt from any ordinance imposing time limitations on parking in any street or highway zone and parking lot, whether municipally owned or leased, or both municipally owned and leased or a parking place owned or leased, or both owned and leased by a municipal parking utility, with one-half hour or more limitation but otherwise is subject to the laws relating to parking. Where the time limitation on a metered stall is one-half hour or more, no meter payment is required. Parking privileges granted by this subsection are limited to the following:~~

- VETOED**
- ~~(a) A person to whom plates were a plate was issued under s. 341.14 (1a).~~
  - ~~(b) A qualified operator acting under the express direction of a person to whom plates were a plate was issued under s. 341.14 (1a) when such person is present.~~
  - ~~(c) A person to whom plates were a plate was issued under s. 341.14 (1m) when the disabled person for whom the plates were a plate was issued is present.~~
  - ~~(d) A person for whom plates were a plate was issued under s. 341.14 (1q).~~
  - ~~(e) A qualified operator acting under the express direction of a person for whom plates were a plate was issued under s. 341.14 (1q) when such person is present.~~

SECTION 1598s. 346.50 (3) of the statutes is amended to read:

~~346.50 (3) A vehicle bearing a special registration plates plate issued under s. 341.14 (1), (1a), (1m) or (1q) or a motor vehicle upon which a special identification card issued under s. 343.51 is displayed is exempt from s. 346.505 or any ordinance in conformity therewith prohibiting parking, stopping or standing upon any portion of a street, highway or parking facility reserved for handicapped persons by official traffic signs, distinct markers or parking meters indicating the restriction. Stopping, standing and parking privileges granted by this subsection are limited to the persons listed under sub. subs. (2) and (2a) (a) to (g).~~

SECTION 1598t. 346.63 (1), (2) and (4) of the statutes are repealed and recreated to read:

346.63 (1) No person may drive or operate a motor vehicle while:

(a) Under the influence of an intoxicant or a controlled substance or a combination of an intoxicant and a controlled substance; or

(b) The person has a blood alcohol concentration of 0.1 % or more by weight of alcohol in that person's blood or 0.1 grams or more of alcohol in 210 liters of that person's breath.

(c) A person may be charged with and a prosecutor may proceed upon a complaint based upon a violation of par. (a) or (b) or both for acts arising out of the same incident or occurrence. If the person is charged with violating both pars. (a) and (b), the offenses shall be joined. If the person is found guilty of both pars. (a) and (b) for acts arising out of the same incident or occurrence, there shall be a single conviction for purposes of sentencing and for purposes of counting convictions under ss. 343.30 (1q) and 343.305. Paragraphs (a) and (b) each require proof of a fact for conviction which the other does not require.

(2) (a) It is unlawful for any person to cause injury to another person by the operation of a vehicle while:

1. Under the influence of an intoxicant or a controlled substance or a combination of an intoxicant and a controlled substance; or

2. The person has a blood alcohol concentration of 0.1 % or more by weight of alcohol in that person's blood or 0.1 grams or more of alcohol in 210 liters of that person's breath.

3. A person may be charged with and a prosecutor may proceed upon a complaint based upon a violation of subd. 1 or 2 or both for acts arising out of the same incident or occurrence. If the person is charged with violating both subds. 1 and 2 in the complaint, the crimes shall be joined under s. 971.12. If the person is found guilty of both subds. 1 and 2 for acts arising out of the same incident or occurrence, there shall be a single conviction for purposes of sentencing and for purposes of counting convictions under ss. 343.30 (1q) and 343.305. Subdivisions 1 and 2 each require proof of a fact for conviction which the other does not require.

(b) Under par. (a), the actor has a defense if it appears by a preponderance of the evidence that the injury would have occurred even if the actor had not been under the influence of an intoxicant or a controlled substance or a combination thereof.

(4) If a person is convicted under sub. (1) or a local ordinance in conformity therewith, or sub. (2), the court shall proceed under s. 343.30 (1q).

SECTION 1598w. 346.635 of the statutes is created to read:

**346.635 Report arrest to department.** Whenever a law enforcement officer arrests a person for a violation of s. 346.63 (1), or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, the officer shall notify the department of the arrest as soon as practicable.

SECTION 1598x. 346.637 of the statutes is created to read:

**346.637 Driver awareness program.** The department shall conduct a campaign to educate drivers in this state concerning:

(1) The laws relating to operating a motor vehicle and drinking alcohol or using controlled substances or both.

(2) The effects of alcohol or controlled substances or both on a person's ability to operate a motor vehicle.

SECTION 1598y. 346.65 (2) of the statutes is repealed and recreated to read:

346.65 (2) Any person violating s. 346.63 (1):

(a) Shall forfeit not less than \$150 nor more than \$300, except as provided in par. (b) or (c).

(b) Shall be fined not less than \$300 nor more than \$1,000 and imprisoned not less than 5 days nor more than 6 months if the total of revocations under s. 343.305 and convictions under s. 346.63 (1) or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, equals 2 in a 5-year period, except that revocations or convictions arising out of the same incident or occurrence shall be counted as one. The 5-year period shall be measured from the dates of the refusals or violations which resulted in the revocation or convictions.

(c) Shall be fined not less than \$600 nor more than \$2,000 and imprisoned for not less than 30 days nor more than one year in the county jail if the total of revocations under s. 343.305 and convictions under s. 346.63 (1) or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, equals 3 or more in a 5-year period, except that revocations or convictions arising out of the same incident or occurrence shall be counted as one. The 5-year period shall be measured from the dates of the refusals or violations which resulted in the revocation or convictions.

SECTION 1598ym. 346.65 (3) of the statutes is amended to read:

346.65 (3) Any person violating s. 346.62 (2) or 346.63 (2) ~~may be fined not more than \$200 or imprisoned in county jail for not less than 30 days nor more than one year or both~~ shall be fined not less than \$300 nor more than \$2,000 and may be imprisoned not less than 30 days nor more than one year in the county jail.

SECTION 1598z. 346.655 of the statutes is created to read:

**346.655 Driver improvement surcharge.** (1) On or after the effective date of this section (1981), if a court imposes a fine or a forfeiture for a violation of s. 346.63 (1), or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle, it shall impose a driver improvement surcharge in an amount of \$150 in addition to the fine or forfeiture and penalty assessment.

(2) (a) Except as provided in par. (b), the clerk of court shall collect and transmit the amount to the county treasurer as provided in s. 59.395 (5). The county treasurer shall then make payment to the state treasurer as provided in s. 59.20 (5) (b).

(b) If the forfeiture is imposed by a municipal court, the court shall transmit the amount to the treasurer of the county, city, town or village, and that treasurer shall make payment to the state treasurer as provided in s. 66.12 (1) (b).

(3) All moneys collected from the driver improvement surcharge shall be deposited by the state treasurer in s. 20.435 (2) (hz).

SECTION 1599. 346.70 (1) of the statutes is amended to read:

346.70 (1) IMMEDIATE NOTICE OF ACCIDENT. The operator of a vehicle involved in an accident resulting in injury to or death of any person, any damage to state or other government-owned property to an apparent extent of \$200 or more or total damage to ~~all~~ property owned by any one person to an apparent extent of ~~\$400~~ \$500 or more shall immediately by the quickest means of communication give notice of such accident to the police department, the sheriff's department or the traffic department of the county or municipality in which the accident occurred or to a state traffic patrol officer. In this subsection, "injury" means injury to a person of a physical nature resulting in death or the need of first aid or attention by a physician or surgeon, whether or not first aid or medical or surgical treatment was actually received; "total damage to ~~all~~ property owned by one person" means the sum total cost of putting the property damaged in the condition it was before the accident, if repair thereof is practical, and if not practical, the sum total cost of replacing such property. For purposes of this subsection if any property which is damaged



is held in a form of joint or multiple ownership, the property shall be considered to be owned by one person.

SECTION 1600g. 346.74 (5) of the statutes is amended to read:

346.74 (5) Any person violating any provision of s. 346.67 ~~may be fined not more than \$200~~ shall be fined not less than \$300 nor more than \$1,000 or imprisoned not more than 6 months or both if the accident did not involve death or injury to a person and ~~may~~ shall be fined not less than \$5 \$300 nor more than \$5,000 or imprisoned not less than 10 days nor more than one year or both if the accident involved death or injury to a person. A violation of any provision of s. 346.67 is a felony if the accident involved death or injury to a person.

SECTION 1600k. 346.935 of the statutes is repealed and recreated to read:

**346.935 Intoxicants in motor vehicles.** (1) No person may drink fermented malt beverage or intoxicating liquor in any motor vehicle when the vehicle is upon a highway.

(2) No person may possess on his or her person, in a privately owned motor vehicle upon a public highway, any bottle or receptacle containing fermented malt beverage or intoxicating liquor if the bottle or receptacle has been opened, the seal has been broken or the contents of the bottle or receptacle have been partially removed.

(3) The owner of a privately owned motor vehicle, or the driver of the vehicle if the owner is not present in the vehicle, shall not keep, or allow to be kept in the motor vehicle when it is upon a highway any bottle or receptacle containing fermented malt beverage or intoxicating liquor if the bottle or receptacle has been opened, the seal has been broken or the contents of the bottle or receptacle have been partially removed. This subsection does not apply if the bottle or receptacle is kept in the trunk of the vehicle or, if the vehicle has no trunk, in some other area of the vehicle not normally occupied by the driver or passengers. A utility compartment or glove compartment is considered to be within the area normally occupied by the driver and passengers.

(4) This section does not apply to a motor bus.

~~SECTION 1600m. 346.97 (1) (b) of the statutes is amended to read:~~

~~346.97 (1) (b) The department shall not issue a registration plates plate for such a vehicle unless there is on file with the department a certificate of insurance showing that the vehicle is insured in compliance with par. (a). No such policy may be terminated prior to its expiration or canceled for any reason unless a notice thereof is filed with the department at least 30 days prior to the date of termination or cancellation. The department shall revoke the registration of a vehicle on which the insurance policy has been terminated or canceled, effective on the date of termination or cancellation.~~

SECTION 1615m. 348.25 (3) of the statutes is amended to read:

348.25 (3) The department shall prescribe forms for applications for all single trip permits the granting of which is authorized by s. 348.26 and for those annual or multiple trip permits the granting of which is authorized by s. 348.27 (2) and (4) to (10). The department may impose such reasonable conditions prerequisite to the granting of any permit authorized by s. 348.26 or 348.27 and adopt such reasonable rules for the operation of a permittee thereunder as it deems necessary for the safety of travel and protection of the highways. The department may limit use of the highways under any permit issued to specified hours of the day or days of the week. Local officials granting permits may impose such additional reasonable conditions as they deem necessary in view of local conditions.

SECTION 1616m. 348.25 (7) of the statutes is amended to read:

348.25 (7) The officer or agency which issued a permit may, for good cause, suspend or revoke such permit or may decline to issue additional permits or may decline to authorize the use of a telephone call-in procedure for any applicant after having given the permittee or applicant reasonable opportunity for a hearing.

SECTION 1617. 348.25 (8) of the statutes is repealed and recreated to read:

348.25 (8) (a) The department shall charge the following fees for each permit issued under s. 348.26:

1. For a vehicle or combination of vehicles which exceeds length limitations, \$10.
2. For a vehicle or combination of vehicles which exceeds width limitations or height limitations or both, \$15.
3. For a vehicle or combination of vehicles, the weight of which exceeds any of the provisions of s. 348.15 (3), 10% of the fee specified in par. (b) 3 for an annual permit for the comparable gross weight.

(b) The department shall charge the following fees for the first permit and each subsequent or revalidated permit issued under s. 348.27:

1. For a vehicle or combination of vehicles which exceeds length limitations, \$60.
  2. For a vehicle or combination of vehicles which exceeds width limitations or height limitations or both, \$90.
  3. For a vehicle or combination of vehicles, the weight of which exceeds any of the provisions of s. 348.15 (3):
    - a. If the gross weight is 90,000 pounds or less, \$200.
    - b. If the gross weight is more than 90,000 pounds but not more than 100,000 pounds, \$350.
    - c. If the gross weight is greater than 100,000 pounds, \$350 plus \$100 for each 10,000-pound increment or fraction thereof by which the gross weight exceeds 100,000 pounds.
- (c) For the purpose of computing the fees under this subsection, if the vehicle or combination of vehicles exceeds width limitations or height limitations or both, no fee in addition to the fee under par. (a) 2 or (b) 2 shall be charged if the vehicle or combination of vehicles also exceeds length limitations.
- (d) For the purpose of computing the fees under this subsection, if the vehicle or combination of vehicles exceeds weight limitations, no fee in addition to the fee under par. (a) 3 or (b) 3 shall be charged if the vehicle also exceeds length, width or height limitations or any combination thereof.

(e) The officer or agency authorized to issue a permit under s. 348.26 may require any applicant for a permit under s. 348.26 to pay the cost of any special investigation undertaken to determine whether a permit should be approved or denied and to pay an additional fee of \$5 per permit if a department telephone call-in procedure is used.

SECTION 1617c. 348.26 (1m) of the statutes is created to read:

348.26 (1m) TELEPHONE CALL-IN PROCEDURE. The department shall develop and implement a telephone call-in procedure for permits issued under this section. The telephone call-in procedure for permits may not be utilized until permit information is computerized to ensure inquiry capability into the data base for enforcement purposes.

SECTION 1617g. 348.26 (4) of the statutes is amended to read:

348.26 (4) MOBILE HOME PERMITS. Single trip permits for the movement of oversize mobile homes may be issued only by the department, regardless of the highways to be used. Every such permit shall designate the route to be used by the permittee ~~and shall authorize use of the highways only between sunrise and sunset on days other than Saturdays, Sundays and holidays.~~

SECTION 1617n. 348.27 (2) of the statutes is amended to read:

348.27 (2) ANNUAL PERMITS. Except as otherwise restricted in this section, annual permits for oversize or overweight vehicles or loads may be issued by the department, regardless of the highways involved. ~~A separate permit is required for each oversize or overweight vehicle to be operated upon a highway.~~

SECTION 1617r. 348.27 (4) of the statutes is amended to read:

348.27 (4) INDUSTRIAL INTERPLANT PERMITS. The department may issue, to industries and to their agent motor carriers owning and operating oversize vehicles in connection with interplant, and from plant to state line, operations in this state, annual permits for the operation of such vehicles over designated routes, provided that such permit shall not be issued under this section to agent motor carriers or from plant to state line for vehicles or loads of width exceeding 96 inches upon routes of the national system of interstate and defense highways. If the routes desired to be used by the applicant involve city or village streets or county or town highways, the application shall be accompanied by a written statement of route approval by the officer in charge of maintenance of the highway in question. ~~A separate permit is required for each oversize vehicle to be operated.~~

SECTION 1617w. 348.27 (7) of the statutes is amended to read:

348.27 (7) MOBILE HOME PERMITS. The department may issue annual statewide permits to licensed mobile home transport companies and to licensed mobile home manufacturers and dealers authorizing them to transport oversize mobile homes over any of the highways of the state in the ordinary course of their business. ~~Every such permit shall authorize use of the highways only between sunrise and sunset on days other than Saturdays, Sundays and holidays.~~

SECTION 1617x. 349.03 (2) of the statutes is amended to read:

349.03 (2) No local authority may enact or enforce any traffic regulation providing for suspension or revocation of motor vehicle operator's licenses or requiring local registration of vehicles, except as authorized by s. 341.35, or in any manner excluding or prohibiting any motor vehicle, mobile home, trailer or semitrailer whose owner has complied with chs. 341 to 348 from the free use of all highways, except as authorized by sub. (3) and ss. 66.046, 349.13, 349.17, 349.22 and 349.23. A municipal court may revoke or suspend a license for a violation of a local ordinance in conformity with s. 346.63 (1).

SECTION 1617xm. 349.03 (2m) of the statutes is created to read:

349.03 (2m) No person may be arrested for failure to pay a forfeiture for violation of any stopping, standing or parking regulation enacted under s. 349.06 or 349.13 by any local authority.

SECTION 1617y. 349.06 (1) of the statutes is amended to read:

349.06 (1) Except for the suspension or revocation of motor vehicle operator's licenses, any local authority may enact and enforce any traffic regulation which is in strict conformity with one or more provisions of chs. 341 to 348 and 350 for which the penalty for violation thereof is a forfeiture. A municipal court may revoke or suspend a license for a violation of a local ordinance in conformity with s. 346.63 (1).

SECTION 1618. 350.12 (4) (intro.) and (a) (intro.), 3m and 4 of the statutes are amended to read:

350.12 (4) AIDS. (intro.) All moneys collected from snowmobile registrations under this section shall be deposited into the conservation fund. The On July 1 of each even-numbered year, the department shall estimate as accurately as possible the total registration receipts for a 2-year period beginning July 1, 1978, and thereafter and allocate the estimate for each year of the period, adjusting the that estimate each year to reflect funds available. An equal sum shall be set aside for each year of the 2-year period to be adjusted as needed.

(a) (intro.) From the sum available for a given year, ~~one-third~~ 50% shall be set aside for the following:

3m. The cost of state law enforcement efforts as appropriated under s. 20.370 (3) (aq); and

4. An amount necessary, but not to exceed \$100,000, to pay the cost of law enforcement aids to counties as appropriated under s. 20.370 (4) (ft). On or before February 1, a county shall file with the department on forms prescribed by the department a detailed statement of the costs incurred by the county in the enforcement of this chapter in the preceding year. The department shall audit the statements and determine the county's net costs for enforcement of this chapter. The department shall compute the state aids on the basis of 100% of such net costs and shall pay such aids on or before April 1. If the state aids payable to counties exceed the moneys available for such purpose, the department shall prorate the payments; and

SECTION 1619. 350.12 (4) (a) 6 of the statutes is repealed.

SECTION 1620. 350.12 (4) (b) (intro.) and 1 of the statutes are amended to read:

350.12 (4) (b) (intro.) From the sum available for a given year, ~~two-thirds~~ 50% shall be appropriated under s. 20.370 (1) (mq) and (4) (bs). The appropriations under s. 20.370 (1) (mq) and (4) (bs) and (bt) shall be used for land acquisition, liability insurance, development and maintenance, the cooperative snowmobile sign program, signing of snowmobile routes, and state snowmobile trails and areas and allocated as follows:

1. State aids and funds for maintenance costs shall be 100% of the actual cost of maintaining the trail per year up to a \$150 per mile per year maximum. Qualifying trails are trails approved by the board as snowmobile trails. State aid for the cost of the purchasing or leasing of land and the acquisition of easements, permits or other agreements may equal 100% of acquisition expense. Development shall begin the same year the land is acquired. Moneys available for development shall be distributed on a 100% grant basis, 75% at the time of approval but no later than ~~July~~ January 1 and 25% upon completion of the project. A county application may include a request for purchasing or leasing land or acquiring easements, permits or other agreements for the use of land, and for aids for development or maintenance of trails. Trail routes, sizes and specifications shall be prescribed only by the board.

SECTION 1622. 409.407 (2) of the statutes is amended to read:

409.407 (2) ORAL REQUEST FOR INFORMATION FROM FILING OFFICER; ISSUANCE OF CERTIFICATE; FEES. (a) Upon the oral request of any person, the filing officer shall disclose orally at the time of the request or as soon thereafter as possible any presently effective ~~financing~~ statement filed or continued within the preceding 6 years naming a particular debtor ~~and any statement of assignment thereof~~ and if there is such a statement, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The fee for such information may not exceed \$4, plus \$1 for each ~~financing~~ statement ~~and for each statement of assignment~~ disclosed.

(b) Upon request of any person, the filing officer shall issue ~~his~~ a certificate showing whether there is on file on the date and hour stated therein, any presently effective ~~financing~~ statement filed or continued within the preceding 6 years naming a particular debtor ~~and any statement of assignment thereof~~ and if there is, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The uniform fee for such a certificate is \$3 if the request for the certificate is in the standard form prescribed by the secretary of state and otherwise shall be \$4, plus \$1 for each ~~financing~~ statement ~~and for each statement of assignment~~ reported therein. Upon request the filing officer shall furnish a certified copy of any filed ~~financing~~ statement ~~or statement of assignment~~ for a uniform fee of \$1 for each page of the copied statement plus 50 cents for the certificate.

**Vetoed in Part** SECTION 1622b. 422.402 (1) of the statutes is amended to read:  
422.402 (1) With respect to a consumer credit transaction other than a transaction which is a) pursuant to an open-end credit plan, b) not precomputed and on which the annual percentage rate disclosed under subch. III is less than 16.5% for a consumer credit sale in which the seller retains a security interest in real estate which is the subject of the sale or any consumer loan, either of which is entered into on or after April 6, 1980, and prior to November 1, 1981, or 12% for any other consumer credit transaction or, c) a transaction primarily for an agricultural purpose or d) a transaction under s. 196.177 (3), no merchant shall enter into an agreement which requires a schedule of payments under which any one payment is not equal or substantially equal to all other payments, or under which the intervals between any consecutive payments differ substantially except as permitted in sub. (2) or (3).

SECTION 1622bm. 422.403 (4m) of the statutes is repealed and recreated to read:  
422.403 (4m) This section does not apply to:

(a) Loans made by an administrative agency within the executive branch established under ch. 15.

(b) Loans made by a lender under s. 196.177 (3).

SECTION 1622br. 422.417 (1) (cm) of the statutes is created to read:

422.417 (1) (cm) Real property to which the property sold is affixed, or which is maintained, repaired or improved as a result of the sale of the property or services, if the obligation secured is \$500 or more and if the obligation is created by a consumer credit transaction under s. 196.177 (3);

SECTION 1622m. 440.04 (2) of the statutes is amended to read:

440.04 (2) Provide the bookkeeping, payroll and, accounting services, and the personnel advisory services required by the department and the legal services, except for representation in court proceedings and the preparation of formal legal opinions, required by the attached examining boards.

SECTION 1623. 440.07 of the statutes is repealed.

SECTION 1644m. 443.18 (1) (b) of the statutes is amended to read:

443.18 (1) (b) All duly constituted officers of the law of this state or any political subdivision shall enforce this chapter and prosecute any persons violating this chapter. ~~A representative of the department of justice designated by the attorney general shall provide a legal advisor to the examining board and render such legal assistance as may be necessary in carrying out this chapter.~~

SECTION 1645m. 444.03 of the statutes is amended to read:

**444.03 Application for license, fee, bond.** No boxing or sparring exhibition shall be conducted by any club except by license granted to it by the department, and no club shall be licensed unless it is incorporated under the laws of Wisconsin and the membership limited to persons who have been continuous residents in the state at least one year. The application for a license shall be in writing, and shall be addressed to the department, and shall be verified by some officer of the club. Such application shall be accompanied by an annual fee of \$25 in cities of not more than 50,000 inhabitants; of \$50 in cities of over 50,000 and not more than 150,000 inhabitants; and \$300 in all cities of over 150,000 inhabitants when any admission is over \$1, and \$50 when the admission charge is \$1 or less. The application must show that the club has entered into a valid agreement for the use of the building, amphitheater or stadium for athletic purposes, wherein such contests are to be held. Before any license is granted the applicant must file a bond of \$1,000 of a good and sufficient surety with the ~~state treasurer~~ department, conditioned for the payment of the tax herein imposed.

SECTION 1649m. 445.01 (8) of the statutes is repealed.

SECTION 1650. 445.03 (1) (a) of the statutes is amended to read:

445.03 (1) (a) Enforce this chapter. ~~In discharge of this duty the field educator and other duly authorized employes of the department may enter at all reasonable hours for the purpose of inspecting the premises in which the business of a funeral director is conducted or where embalming is practiced.~~

SECTION 1665m. 445.095 (3) of the statutes is created to read:

445.095 (3) All apprentices shall be governed by ch. 106 and apprenticeship rules of the department of industry, labor and human relations.

SECTION 1679m. 447.01 (2) of the statutes is repealed.

SECTION 1701. 452.04 (2) of the statutes is amended to read:

452.04 (2) ~~The examining board department may prepare a real estate study manual and letters and bulletins, and conduct clinics disseminating information to its licensees. The department shall publish such letters and bulletins.~~

SECTION 1702. 452.04 (3) of the statutes is repealed.

SECTION 1725. 457.01 (13) of the statutes is repealed.

SECTION 1728. 457.06 (3) of the statutes is amended to read:

457.06 (3) Examinations of applicants for master barber licenses shall consist of written tests and practical demonstrations covering services and subjects required to be taught in barber schools and colleges and the apprentice program related to public health and safety.

SECTION 1730. 458.03 (4) of the statutes is repealed.

SECTION 1730m. 458.06 (2) of the statutes is amended to read:

458.06 (2) The examination of applicants for manager's, operator's, manicurist's, instructor's and electrologist's licenses shall include such tests as the examining board determines by rule deems fit and shall be restricted to issues related to public health and safety.

~~SECTION 1734p. 560.04 (2) (j) of the statutes is amended to read:  
560.04 (2) (j) Administer state and federal grant programs related to economic or community development, including economic development assistance programs and housing and urban development comprehensive planning grants affecting local government, business or industry, to assist and strengthen local, regional and state economic and community development and support experimental and cooperative activities and intergovernmental relations, training of local government officials and personnel, and other activities consistent with the purposes of this chapter. The award of a grant under 42 USC 5306 to a city under 50,000 population is subject to the approval of the joint committee on finance.~~

Vetoed  
in Part

SECTION 1735. 560.11 (1) (intro.) of the statutes is amended to read:

560.11 (1) (intro.) The department shall submit to the governor, ~~prior to each budget period commencing on or after July 1, 1981, and on the date designated by the department of administration for submittal of information under s. 16.42, and a plan for expending the money appropriated for that budget period under s. 20.143 (3) (b) and (e).~~ The plan shall indicate the functional categories of projects to be funded under the appropriations and shall include, but not be limited to, the following:

SECTION 1736. 560.11 (2) (intro.) of the statutes is amended to read:

560.11 (2) (intro.) The governor shall review the plan submitted under sub. (1) and shall include the plan ~~in, with his or her modifications, in the executive budget bill or bills [or bills] for the budget period for which the plans were submitted. Funds which are appropriated under s. 20.143 (3) (b) or (e) for a budget period commencing on or after~~

Vetoed  
in Part

~~July 1, 1981,~~ may be encumbered or expended only in accordance with the applicable plan adopted by the legislature, except, notwithstanding any other law:

SECTION 1737. 560.11 (3) of the statutes is amended to read:

560.11 (3) The department of administration may release funds appropriated for a ~~biennium commencing on or after July 1, 1981,~~ under s. 20.143 (3) (b) ~~or (c)~~ only after the plan for the appropriation for that period has been approved as provided by this section.

SECTION 1738. 560.12 of the statutes is renumbered 46.94.

SECTION 1739. 601.31 (1) (d) to (g) of the statutes are amended to read:

601.31 (1) (d) For filing articles of amendment, domestic companies, ~~\$10; and an additional sum equal to \$1 for each \$1,000 or fraction thereof of par value shares and 2 cents for each share without par value as authorized after such amendment, less a credit computed at the foregoing rates upon all shares as authorized immediately prior to such amendment~~ \$25.

(e) For filing a copy of amendments to the articles of a nondomestic insurer, ~~\$10. If the amendment is filed more than 60 days after it has become effective in its domiciliary state, the corporation shall pay to the commissioner a penalty of \$25.~~

(f) For filing articles of merger, ~~\$10; and an additional sum equal to \$1 for each \$1,000 or fraction thereof of par value shares and 2 cents for each share without par value as authorized after such merger, less a credit computed at the foregoing rates upon all shares of domestic corporations which are parties to merger as authorized immediately prior to such merger~~ \$100.

(g) For filing a copy of articles of merger of a nondomestic insurer, other than with a domestic corporation, ~~\$10~~ \$25.

SECTION 1740. 601.31 (1) (h) to (j) of the statutes are repealed.

SECTION 1741. 601.31 (1) (k) to (r) of the statutes are renumbered 601.31 (1) (h) to (o), and 601.31 (1) (h) to (j), as renumbered, are amended to read:

601.31 (1) (h) For filing an application by a nondomestic insurer for amended certificate of authority to transact business in this state, ~~\$5~~ \$25.

(i) For filing an application to reserve a corporate name, ~~\$5~~ \$25.

(j) For filing a notice of transfer of a reserved corporate name, ~~\$5~~ \$25.

SECTION 1742. 601.31 (1) (q) of the statutes is created to read:

601.31 (1) (q) For a copy of a paper filed in the commissioner's office, actual cost.

SECTION 1743. 601.31 (1) (s) of the statutes is repealed and recreated to read:

601.31 (1) (s) For computation of present value of any estate, annuity or interest of beneficiary under s. 879.65, actual cost.

SECTION 1744. 601.31 (1) (t) of the statutes is renumbered 601.31 (1) (p).

SECTION 1745. 601.31 (1) (t) of the statutes is created to read:

601.31 (1) (t) For filing documents for examination preliminary to initial listing by the commissioner for surplus lines insurance under s. 618.41 (6) (d), \$100.

SECTION 1746. 601.31 (1) (u) to (w) of the statutes are repealed.

SECTION 1747. 601.31 (1) (x) of the statutes is renumbered 601.31 (1) (r) and amended to read:

601.31 (1) (r) For preparation and furnishing of lists of insurers or intermediaries; ~~per name, \$0.05,~~ actual cost.

SECTION 1748. 601.31 (1) (y) and (z) of the statutes are repealed.

SECTION 1750. 601.43 (2) (a) of the statutes is amended to read:

601.43 (2) (a) *Insurers and rate service organizations.* The commissioner shall examine every domestic insurer and every licensed rate service organization ~~at intervals to be established by rule.~~

SECTION 1750m. 601.45 (3) of the statutes is amended to read:

601.45 (3) DEPOSIT. The commissioner may require any examinee, before or from time to time during an examination, to deposit with the state treasurer such deposits as the commissioner deems necessary to pay the costs of the examination. Any deposit and any payment made under subs. (1) and (2) shall be credited to the appropriation under s. 20.145 (1) (g) in the percentage specified in that paragraph.

SECTION 1751. 601.93 (2) of the statutes is amended to read:

601.93 (2) Every insurer doing a fire insurance business in this state shall, before March 1 in each year, file with the commissioner a statement, showing the amount of premiums upon fire insurance, ~~and pay to the commissioner the total amount of fire department dues required under sub. (1) due for the preceding calendar year.~~ Return premiums may be deducted in determining the premium on which the fire department dues are computed. Payments of quarterly instalments of the total estimated payment for the then current calendar year under this subsection are due on or before April 15, June 15, September 15 and December 15, except that town mutual insurers shall make annual payments on or before March 1. On March 1 the insurer shall pay any additional amounts due for the preceding calendar year. Overpayments will be credited on the amount due April 15. If any insurer fails to make quarterly payments of at least 25% of either the total tax paid for the previous calendar year or 80% of the actual tax for the current calendar year, it shall be liable, in addition to the amount due for interest, in the amount of one percent of the amount due and unpaid for each month or part of a month that the amount due together with any interest remains unpaid. The commissioner shall, prior to April 15 each year, report to the department of industry, labor and human relations the amount of dues paid under this subsection and to be paid under s. 101.58 (1).

SECTION 1752. 601.93 (3) to (6) of the statutes are renumbered 101.58 (1) to (4) and amended to read:

101.58 (1) The ~~commissioner~~ department shall include in the compilation and certification of fire department dues under sub. ~~(5)~~ (3) 2% of the premiums paid to the state fire fund for the insurance of any public property, other than state property. The ~~commissioner~~ department shall notify the state treasurer of the amount certified under this subsection and the state treasurer shall charge the amount to the state fire fund.

(2) The aggregate payment of fire department dues by the ~~commissioner~~ department for cities, villages and towns, maintaining fire departments staffed wholly or partly by volunteer fire fighters, shall be reduced by an amount equal to one-half of the amount appropriated annually for fire training programs under s. 20.292 (1) (c). The amount paid to each city, village and town maintaining a fire department staffed wholly or partly by volunteer fire fighters shall be reduced on a proportionate basis. The amount reserved under this subsection shall be retained in the general fund for the purposes of the appropriations made under s. 20.292 (1) (c).

(3) (a) On or before May 1 in each year, the ~~commissioner~~ department shall compile the fire department dues paid by all insurers under sub. ~~(2)~~ s. 601.93 and the dues paid by the state fire fund under sub. ~~(3)~~ (1) and funds remaining under par. (b), withhold .5% and certify the proper amount to be paid to each city, village or town entitled to fire department dues under s. 601.95 ~~to the department of administration. After the department of administration audits the commissioner's compilation and certification and certifies the compilation and certification to the state treasurer, the~~ 101.59 to the state treasurer. The state treasurer shall pay the amounts certified by the ~~commissioner and the~~



department of ~~administration~~ to the cities, villages and towns eligible under s. ~~601.95~~ 101.59 on or before August 1 in each year.

(b) The amount withheld under par. (a) shall be disbursed to correct errors of the department of ~~industry, labor and human relations~~ or the commissioner of insurance or for payments to cities, villages or towns which are first determined to be eligible for payments under par. (a) after May 1. The ~~commissioner~~ department shall certify to the state treasurer, as near as is practical, the amount which would have been payable to the municipality if payment had been properly disbursed under par. (a) on or prior to May 1, except the amount payable to any municipality first eligible after May 1 shall be reduced by 1.5% for each month or portion of a month which expires after May 1 and prior to the eligibility determination. The state treasurer shall pay the amount certified to the city, village or town. The balance of the amount withheld in a calendar year under par. (a) which is not disbursed under this paragraph shall be included in the total compiled by the ~~commissioner~~ department under par. (a) for the next calendar year. If errors in payments exceed the amount set aside for error payments, adjustments shall be made in the distribution for the next year.

(4) The ~~commissioner~~ department shall transmit to the treasurer of each city, village and town entitled to fire department dues, a statement of the amount of dues payable to it under this section and the commissioner of insurance shall furnish to ~~such~~ the state treasurer, upon request, a list of the insurers paying dues under ~~this section~~ s. 601.93 and the amount paid by each.

SECTION 1753. 601.93 (7) of the statutes is renumbered 601.93 (3), and 601.93 (3) (intro.), as renumbered, is amended to read:

601.93 (3) (intro.) In this section ~~and in s. 601.95~~, "fire insurance" includes insurance against loss of or damage to:

SECTION 1754. 601.95 (title) of the statutes is renumbered 101.59 (title).

SECTION 1755. 601.95 (1) of the statutes is renumbered 101.59 (1) and amended to read:

101.59 (1) (a) Every city, village or town maintaining a fire department which complies with sub. (3) is entitled to a proportionate share of all fire department dues collected under ~~s. ss. 101.58 and 601.93~~ after deducting the administrative expenses of the department under s. 101.58, based on the equalized valuation of real property improvements upon land within the city, village or town, but not less than the amount the municipality received under s. 601.93 (3), 1977 stats., and chapter 26, laws of 1979, in calendar year 1979.

(b) Every city, village or town which contracts for fire protection and fire prevention services which comply with s. 101.14 (2) from another city, village or town is entitled to the dues specified in par. (a) if a certified copy of the contract, ordinances or resolutions constituting the agreement is filed with the ~~commissioner, together with a certificate of the department of industry, labor and human relations~~ and the department determines that the fire department furnishing the protection has sufficient equipment to and can provide the agreed protection without endangering property within its own limits and the fire prevention services comply with s. 101.14 (2). All such contracts, ordinances or resolutions shall describe the territory protected by township or section lines.

(c) Any city, village or town, not maintaining a fire department, which purchases not less than the minimum fire fighting equipment required for eligibility under sub. (3), and which for the purpose of obtaining fire protection and prevention services for itself enters into an agreement with another city, village or town for the fire department of the other city, village or town to house and operate the equipment, is entitled to the dues specified in par. (a) if a certified copy of the contract constituting the agreement, containing a complete description of the fire fighting equipment purchased by the municipality receiving protection, and a description by township or section lines of the territory protected, is filed

with the ~~commissioner, together with a certificate of the department of industry, labor and human relations~~ and the department determines that the equipment meets the requirements of sub. (3) and the fire prevention services comply with s. 101.14 (2). Two or more municipalities which together have purchased not less than the minimum fire fighting equipment required for eligibility under sub. (3) and have entered into a fire protection agreement in the manner prescribed in this paragraph shall each be entitled to dues under par. (a).

SECTION 1756. 601.95 (2) and (3) (a) of the statutes are renumbered 101.59 (2) and (3).

SECTION 1757. 601.95 (3) (b) of the statutes is repealed.

SECTION 1758. 601.95 (4) to (6) of the statutes are renumbered 101.59 (4) to (6), and 101.59 (4) and (6), as renumbered, are amended to read:

101.59 (4) No city, village or town may be paid any fire department dues for any year unless the department of industry, labor and human relations certifies to the commissioner determines that the city, village or town complies with s. 101.14 (2), including the performance of inspections as required by s. 101.14 (2). If dues which would have been paid into any fire fighter's pension fund or other special funds for the benefit of disabled or superannuated fire fighters are withheld under this subsection, an amount equal to the fire department dues withheld shall be paid into the pension fund from any available fund of the city, village or town, and if no fund is available, an amount equal to the amount withheld shall be included in and paid out of the next taxes levied and collected for the city, village or town.

(6) Dues received under s. ~~601.93~~ 101.58 and this section shall be used by the city, village or town only for fire inspection, prevention or protection, or to fund wholly or partially fire fighters' pension funds or other special funds for the benefit of disabled or superannuated fire fighters.

SECTION 1759. 604.02 (1) (c) of the statutes is repealed.

SECTION 1759m. 604.04 (2) of the statutes is amended to read:

604.04 (2) OTHER PERSONNEL. The manager of a fund may employ such personnel as are necessary for proper administration. To the extent practicable, the manager shall manage the funds, issue policies and prepare reports in the same way that as commissioner he or she requires other insurers to do, except that periodic annual audits may not be required. The manager may make such reasonable rules for the administration of the funds as are necessary to implement the enabling statutes.

SECTION 1761. Chapter 608 of the statutes is repealed.

SECTION 1762. 619.125 of the statutes is created to read:

**619.125 Health insurance risk sharing plan fund.** (1) There is created a health insurance risk sharing plan fund, under the management of the board, to pay claims on behalf of eligible persons and fund administrative expenses. Coverage provided by the fund is on a fiscal year basis and shall begin on the effective date of this section (1981).

(2) Premiums, assessments and other moneys received under s. 619.13 shall be deposited in the fund or the administering carrier under s. 619.16.

(3) (a) Moneys may be withdrawn from the fund by the commissioner only upon vouchers approved and authorized by the board or by the administering carrier.

(b) All books, records and audits of the fund shall be open to the general public for reasonable inspection, with the exception of confidential claims information.

(c) Annually after the close of a fiscal year, the board shall furnish an audited financial report to the commissioner. The report shall be prepared in accordance with accepted accounting procedures and shall include the present value of all claims reserves, including

those for incurred but not reported claims as determined by accepted actuarial principles, and other information required by the commissioner.

(d) Moneys held in the fund shall be invested in short-term fixed return interest-bearing investments by the board through the state investment board. All income derived from the investments shall be credited to the fund.

(e) The board shall hold the fund in trust for the benefit of eligible persons. The fund may be used only for the purposes of this section.

(4) This section does not apply after June 30, 1983, or the general effective date of the 1983-85 biennial budget act, whichever is later.

SECTION 1765. 628.31 (2) of the statutes is amended to read:

628.31 (2) APPLICATION FOR LICENSE. The application for a vending license shall be on a form prescribed by the commissioner by rule and shall include such information and exhibits as the commissioner reasonably specifies. ~~It shall be accompanied by the fee under s. 601.31 (1) (s).~~

~~SECTION 1765g. 632.89 (2) (d) of the statutes is amended to read:~~

Vetoed  
in Part

~~632.89 (2) (d) *Outpatient treatment.* Every contract or joint contract issued by an insurer subject to this section providing coverage for outpatient treatment shall provide coverage for outpatient services for mental and nervous disorders, alcoholism and drug abuse including but not limited to partial hospitalization services, prescribed drugs and collateral interviews with patients' families, relating to diagnosed alcoholism, drug abuse, or mental and nervous disorders of the patient, in an amount not less than the first \$500 \$1,000 in any calendar year for any alcoholism or drug abuse services, or for outpatient services provided by or under contract for a board established under s. 51.42, and \$500 \$1,000 for any other outpatient services for mental and nervous disorders. No contract or joint contract written in combination with major medical coverage shall be required to provide coverage under this paragraph for more than \$500 \$1,000 for any combination of disabilities required to be covered under this paragraph. The department of health and social services may by rule promulgated under ch. 227 adjust this amount at 2-year intervals to reflect changes in the cost of medical care.~~

SECTION 1765m. 655.27 (4) (d) of the statutes is amended to read:

655.27 (4) (d) Annually after the close of a fiscal year, the board of governors shall furnish an ~~audited~~ a financial report to the commissioner. The report shall be prepared in accordance with accepted accounting procedures and shall include the present value of all claims reserves, including those for incurred but not reported claims as determined by accepted actuarial principles, and such other information as may be required by the commissioner. The board of governors shall furnish an appropriate summary of this report to all fund participants.

~~SECTION 1765n. 703.08 (1) of the statutes is amended to read:~~

~~703.08 (1) (a) Residential real property may not be converted to a condominium unless the owner of the residential real property gives not less than 120 days' nor more than 2 years' prior written notice of the conversion to each of the tenants of the building or buildings scheduled for conversion.~~

~~(b) A tenant has the exclusive option to purchase the unit for a period of 60 90 days following the date of delivery of the notice. The option may be assigned to a sublessee occupying the unit when the notice is given and may be waived only in writing.~~

~~SECTION 1765o. 703.08 (1) (c) and (3) to (5) of the statutes are created to read:~~

~~703.08 (1) (c) A copy of the notice required by this section shall be given to a tenant who enters into a lease after notice is given under par. (a). The option under par. (b) extends only to tenants receiving notice under par. (a).~~

~~(3) The notice required by this section shall contain the following:~~

**VETOED**

- (a) A description of all improvements proposed to be made to the property and a proposed completion date for the improvements.
  - (b) A description of each optional improvement which may be obtained at the purchaser's request and its cost.
  - (c) A copy of the proposed floor plan of the unit showing the location of other units and common elements.
  - (d) The purchase prices of all the units.
  - (e) A copy of a report, prepared by a person who is not an employe of the owner and who holds a certificate authorizing the practice of professional engineering issued under s. 443.01, describing the present condition of major structural components and mechanical and utility installations of the residential real property.
  - (f) A statement describing the tenant's option rights under sub. (1) (b).
  - (g) A statement in boldface type or upper case letters, no smaller than the largest type in the notice, in the following wording: "IF YOU ARE HANDICAPPED OR ARE AT LEAST 65 YEARS OF AGE, YOU MAY HAVE ADDITIONAL RIGHTS GUARANTEED BY SECTION 703.085 OF THE WISCONSIN STATUTES".
  - (h) Immediately following the statement required by par. (g), a copy of s. 703.085.
- (4) The notice required by this section shall be given in the manner prescribed under s. 704.21 (1).
- (5) An agreement to waive delivery of the notice required by this section is void.

**VETOED**

SECTION 1765p. 703.085 of the statutes is created to read:

**703.085 Conversions affecting older or handicapped persons.** (1) In this section:

- (a) "Eligible tenant" means a handicapped person or an older person, or the spouse of a handicapped person or an older person, who has occupied as a tenant or sublessee premises proposed for condominium conversion for at least 2 years before receiving notice under s. 703.08 (1) (a) and has an annual income from all sources not exceeding \$10,500 in 1981, adjusted in subsequent years by the percentage change in the cost of living as determined by the U.S. bureau of labor statistics.
  - (b) "Handicapped person" means a handicapped person as defined in s. 47.40 (3).
  - (a)
  - (c) "Older person" means a person at least 65 years of age.
- (2) Within 90 days after receiving notice under s. 703.08 (1) (a), an eligible tenant who does not exercise the option to purchase under s. 703.08 (1) (b) may:
- (a) Provide the owner with proof that the eligible tenant meets the requirements of sub. (1) (a).
  - (b) Notify the owner of the eligible tenant's intention to remain as a tenant for a term prescribed under sub. (3) (a).
  - (c) Notify the owner of the eligible tenant's intention to vacate the premises.
- (3) (a) All persons living on the premises occupied by an eligible tenant who complies with sub. (2) (a) and (b) may remain as tenants for the following terms after creation of a conversion condominium:
2. One year, if the eligible tenant occupied the premises at least 2 years and less than 4 years before receiving notice under s. 703.08 (1) (a).
  3. Eighteen months, if the eligible tenant occupied the premises at least 4 years and less than 6 years before receiving notice under s. 703.08 (1) (a).
  4. Two years, if the eligible tenant occupied the premises at least 6 years before receiving notice under s. 703.08 (1) (a).
- (b) During a term prescribed under par. (a):

1. An eligible tenant's rent may be increased only on an anniversary of the eligible tenant's first occupancy of the premises and the increase for any year may not exceed 10% of the eligible tenant's rent during the year next preceding the giving of notice under s. 703.08 (1) (a);

2. The owner may not cause or permit harassment of the eligible tenant for the purpose of causing the eligible tenant to vacate the premises;

3. The owner may not decrease services to the eligible tenant; and

4. The owner may bring an action for possession of the premises only if at least one of the following exists:

a. The eligible tenant fails to pay rent, except where the owner has breached an express agreement to rectify building code violations and as a result of the breach the eligible tenant has withheld rent payments from the owner and placed them in a fund to offset future rent payments.

b. The eligible tenant commits waste.

c. A public authority declares the premises unfit for residential use.

d. After written notice to cease, the eligible tenant destroys the peace and quiet of the dwelling or neighborhood.

e. After written notice to cease, the eligible tenant substantially violates a reasonable rule governing the premises, if the rule was made a part of the lease at the beginning of the lease term or was accepted in writing by the eligible tenant.

f. The owner may require relocation under sub. (5) (a).

(4) (a) Except as provided in par. (b), the owner shall pay a relocation grant of at least \$500 to all of the following:

1. An eligible tenant who complies with sub. (2) (a) and (c).

2. An eligible tenant who complies with sub. (2) (a) and (b) and is required to vacate the premises during a term prescribed under sub. (3) (a) because a public authority declares the premises unfit for residential use.

(b) The owner shall pay a relocation grant of at least \$750 to an eligible tenant under par. (a) who is the only eligible tenant residing in his or her dwelling unit.

(5) (a) After creation of a conversion condominium, the owner may require an eligible tenant permanently to relocate once to a reconstructed dwelling unit in the same residential structure, if the purpose of the relocation is to permit reconstruction of the dwelling unit occupied by the eligible tenant and relocation with the consent of the eligible tenant is not obtained under par. (b). The reconstructed dwelling unit to which the eligible tenant is relocated under this paragraph must be at least equivalent in facilities and floor space to the dwelling unit vacated by the eligible tenant.

(b) After creation of a conversion condominium, the owner may, with the consent of the eligible tenant, temporarily relocate an eligible tenant to another residential structure, if the purpose of the relocation is to permit reconstruction of the dwelling unit occupied by the eligible tenant. The eligible tenant has the right to relocate to the vacated dwelling unit after its reconstruction. Reconstruction of the vacated dwelling unit may not cause a reduction in floor space or facilities.

(c) The owner shall pay all reasonable relocation costs incurred by an eligible tenant relocating under this subsection.

(d) Subsection (3) applies notwithstanding relocation under this subsection.

SECTION 1765q. 703.125 of the statutes is created to read:

703.125 Declarant's warranty. (1) A declarant warrants against material defects in the plumbing, electrical, mechanical and structural components of a unit for 120 days after its sale.

~~(2) A declarant warrants against material defects in the plumbing, electrical, mechanical and structural components of a common element for 120 days after the last unit not occupied by the declarant as a residence is sold or 120 days after construction of the common element, whichever is later.~~

~~SECTION 1765r. 703.27 of the statutes is amended to read:~~

~~703.27 Zoning and building regulations. (1) Except as provided in sub. (3), a zoning or other land use ordinance or regulations regulation may not prohibit the condominium form of ownership or impose any requirements upon a condominium which it would not impose upon a physically identical development under a different form of ownership. No provision of a state or local building code may be applied differently to a building in a condominium than it would be applied to a building of similar structure or occupancy under a different form of ownership, unless the different application is expressly permitted in that provision. No subdivision ordinance may apply to any condominium unless the ordinance is, by its express terms, applicable to condominiums.~~

~~(2) No Except as provided in sub. (3), no county, city or other jurisdiction may enact any law, ordinance or regulation which would impose a burden or restriction on a condominium that is not imposed on all other property of similar character not subjected to a condominium declaration.~~

~~SECTION 1765s. 703.27 (3) of the statutes is created to read:~~

~~703.27 (3) A county, city or village, or a town adopting a resolution under s. 60.18 (12), may adopt ordinances regulating the creation of a conversion condominium which:~~

- ~~(a) Create protections for eligible tenants, as defined under s. 703.085 (1) (a), affected by the conversion which are the same or greater than those under this chapter.~~
- ~~(b) Do not prohibit a conversion condominium.~~
- ~~(c) Apply equally to each conversion condominium within the county, city, village or town.~~

~~SECTION 1765t. 703.33 (1) (h) of the statutes is created to read:~~

~~703.33 (1) (h) A copy of the report required under s. 703.08 (3) (e), if the unit is part of a conversion condominium.~~

~~SECTION 1773a. 753.075 (3) (a) of the statutes is amended to read:~~

~~753.075 (3) (a) Temporary reserve judges shall receive a per diem of \$125 and while serving outside the county in which they reside shall also receive actual and necessary expenses incurred in the discharge of judicial duties. This per diem compensation is not subject to s. 41.11 (12) or subch. IX of ch. 40 but the combined amount of this compensation and any other judicial compensation together with retirement annuities under the Wisconsin retirement fund, the Milwaukee county retirement fund and other state, county, municipal, or other Wisconsin governmental retirement funds or social security received by him or her during any one calendar ~~month~~ year shall not exceed ~~one-twelfth~~ of the yearly compensation of a circuit judge, including any county supplements paid as provided in ss. 753.016 (2) and 753.071. County supplements shall not be paid after July 1, 1980. The per diem compensation and actual and necessary expenses shall be paid from the appropriation under s. 20.625 (1) (a) when the judge is assigned to a circuit court and from the appropriation under s. 20.660 (1) (a) when the judge is assigned to the court of appeals.~~

~~SECTION 1777m. 757.99 of the statutes is amended to read:~~

~~757.99 Attorney fees. A judge against whom a petition alleging disability is filed by the commission shall be reimbursed for reasonable attorney fees if the judge is found not to have a disability. A judge against whom a formal complaint alleging misconduct is filed~~

by the commission and who is found not to have engaged in misconduct may be reimbursed for reasonable attorney fees. Any judge seeking recovery of attorney fees authorized or required under this section shall file a claim with the claims board under s. 16.53.

SECTION 1777n. 765.002 (3) of the statutes is renumbered 765.002 (6).

SECTION 1777p. 765.002 (3) to (5) of the statutes are created to read:

765.002 (3) In this chapter, "marriage certificate" means that portion of the marriage document designated as such, which includes the marriage license as well as the information concerning the marriage ceremony, signatures resulting from the ceremony and proof of filing.

(4) In this chapter, "marriage document" is that document consisting of the marriage license, the marriage certificate and the confidential information collected for statistical purposes only.

(5) In this chapter, "marriage license" means that portion of the marriage document designated as such, which is authorization for the marriage to take place.

SECTION 1777q. 765.05 of the statutes is amended to read:

**765.05 Marriage license; by whom issued.** No person may be joined in marriage within this state until a marriage license has been obtained for that purpose from the county clerk of the county in which one of the parties has resided for at least 30 days immediately prior to making application therefor. If both parties are nonresidents of the state, the marriage license may be obtained from the county clerk of the county where the marriage ceremony is to be performed. If one of the persons is a nonresident of the county where the marriage license is to issue, the nonresident's part of the application may be completed and sworn to (or affirmed) before the person authorized to accept such applications in the county and state in which the nonresident resides. ~~At the time of application for the license, the clerk shall give to each of the applicants (or mail to an applicant who completes his or her part of the application outside of the state) a card with the language of s. 765.001 (2) printed thereon. Such cards shall be procured by the county clerk at the expense of the county and shall be in form substantially as follows:~~

#### MARITAL INFORMATION

Your marriage license will be issued to you under the provisions of chapter 765 of the Wisconsin statutes. For your information and advice, section 765.001 includes the following provision:

~~INTENT. It is the intent of chs. 765 to 768 to promote the stability and best interest of marriage and the family. Marriage is the institution that is the foundation of the family and of society. Its stability is basic to morality and civilization, and of vital interest to society and the state. The consequences of the marriage contract are more significant to society than those of other contracts, and the public interest must be taken into account always. The seriousness of marriage makes adequate premarital counseling and education for family living highly desirable, and courses thereon are urged upon all persons contemplating marriage. The impairment or dissolution of the marriage relation generally results in injury to the public wholly apart from the effect upon the parties immediately concerned.~~

SECTION 1777r. 765.06 of the statutes is repealed.

SECTION 1777s. 765.07 of the statutes is repealed.

SECTION 1777t. 765.08 of the statutes is repealed and recreated to read:

**765.08 Application for marriage license.** (1) Except as provided in sub. (2), no marriage license may be issued within 5 days of application for the marriage license.

(2) The county clerk may, at his or her discretion, issue a marriage license within less than 5 days after application if the applicant pays an additional fee of not more than \$5 to cover any increased processing cost incurred by the county. The county clerk shall pay this fee into the county treasury.

SECTION 1777u. 765.09 of the statutes is amended to read:

**765.09 Identification of parties; statement of qualifications.** No application for a marriage license may be made by persons lawfully married to each other and no marriage license may be issued to such persons; nor may a marriage license be issued unless the application therefor is subscribed by the parties intending to intermarry and is filed with the clerk who issues the marriage license. Each party shall present satisfactory, documentary proof of identification and residence and shall swear (or affirm) to the application before the clerk who is to issue the marriage license or the person authorized to accept such applications in the county and state where the party resides. The application shall contain such informational items ~~on the parties as are contained in the top panels of the marriage certificate, excluding those items in the lower portion of the certificate collected for statistical purposes only.~~ It shall also contain the intended date and place of the marriage, the last prior marriage of either party and the place, the date and manner of the dissolution of the marriage with the name of the former spouse as the department of health and social services directs. Each applicant under 30 years of age shall exhibit to the clerk a certified copy of a birth certificate, and any applicants shall submit a copy of any judgments or a death certificate affecting the marital status. If such certificate or judgment is unobtainable, other satisfactory documentary proof of the requisite facts therein may be presented in lieu thereof. Whenever the clerk is not satisfied with the documentary proof presented, he or she shall submit the same, for an opinion as to the sufficiency of the proof, to a judge of a court of record in the county of application.

SECTION 1777v. 765.11 (1) of the statutes is amended to read:

765.11 (1) ~~Immediately upon entering an application for a license, the county clerk shall post in the office a notice giving the names and residences of the parties applying therefor, and the date of the application.~~ Any If any parent, grandparent, child, or natural guardian thereof if a minor, of a minor applicant for a marriage license, any brother, sister or guardian of either of the applicants for a marriage license, or either of the applicants, or the district attorney, or the family court commissioner, believing believes that the statements of the application are false or insufficient, or that the applicants or either of them are incompetent to marry, that person may file with the court having probate jurisdiction in the county in which the marriage license is applied for, a petition under oath, setting forth the grounds of objection to the marriage and asking for an order requiring the parties making such application to show cause why the marriage license should not be refused. Whereupon, the court, if satisfied that the grounds of objection are prima facie valid, shall issue an order to show cause as aforesaid, returnable as the court directs, but not more than 14 days after the date of the order, which shall be served forthwith upon the applicants for the marriage license residing in the state, and upon the clerk before whom the application has been made, and shall operate as a stay upon the issuance of the marriage license until further ordered; if either or both of the applicants are nonresidents of the state the order shall be served forthwith upon the nonresident by publication of a class 1 notice, under ch. 985, in the county wherein the application is pending, and by mailing a copy thereof to the nonresident at the address contained in the application.

SECTION 1777w. 765.12 of the statutes is amended to read:

**765.12 (title) Marriage license, when authorized; corrections; contents.** (1) If ss. 765.02, 765.05, ~~765.06~~, 765.08 and 765.09 are complied with, and if there is no prohibition against or legal objection to the marriage, the county clerk shall issue a marriage license. After the application for the marriage license the clerk shall, upon the sworn statement of either of the applicants, correct any erroneous, false or insufficient statement



in the marriage license or in the application therefor which shall come to the clerk's attention prior to the marriage and shall show the corrected statement as soon as reasonably possible to the other applicant.

(2) The marriage license shall authorize the marriage ceremony to be performed in any county of this state within 30 days of issuance, excepting that where both parties are nonresidents of the state, the ceremony shall be performed only in the county in which the marriage license is issued. ~~The license shall be directed "to any person authorized by the law of this state to solemnize marriage," and shall authorize the person to solemnize marriage between the parties therein named, at any time not more than 30 days after the date thereof. If the marriage is to be solemnized by the parties without the presence of an officiating person, as provided by s. 765.16 (3), the license shall be directed to the parties to the marriage. If either of the parties is not of the age of legal majority, then his or her age shall be stated; and the fact of the consent of his or her parents or guardian shall likewise be stated; and if either of said parties has been theretofore married, then the number of times he or she has been previously married, and the manner in which the prior marriage was dissolved, shall be stated. The officiating person shall determine that the parties presenting themselves to be married are the parties named in the marriage license. If aware of any legal impediment to such marriage, the person shall refuse to perform the ceremony. The issuance of a marriage license shall not be deemed to remove or dispense with any legal disability, impediment or prohibition rendering marriage between the parties illegal, and the marriage license shall contain a statement to that effect.~~

SECTION 1777x. 765.13 of the statutes is amended to read:

**765.13 (title) Form of marriage document.** ~~The license marriage document shall contain such informational items on the groom and bride as are contained in the top panels of the marriage certificate, excluding those items in the lower portion of the certificate collected for statistical purposes only as the department of health and social services determines are necessary and shall agree in the main with the standard form recommended by the federal agency responsible for national vital statistics. It shall contain a notification of the time limits of the authorization to marry, a notation that the issue of the marriage license shall not be deemed to remove or dispense with any legal disability, impediment or prohibition rendering marriage between the parties illegal, and the seal signature of the county clerk, who shall acquire the information for the marriage document and enter it in its proper place when the marriage license is issued.~~

SECTION 1777y. 765.14 of the statutes is amended to read:

**765.14 (title) Form of marriage document when solemnized by parties.** If the marriage is to be solemnized by the parties without an officiating person, as provided by s. 765.16 (3) the license marriage document shall contain all those items and notations as required by s. 765.13.

SECTION 1782m. 765.15 of the statutes is amended to read:

**765.15 Fee to county clerk.** Each county clerk shall receive as a fee for each license granted the sum of \$4.50 \$24.50, of which \$3 \$4.50 shall become a part of the funds of the county, and \$1.50 \$20 shall be paid into the state treasury. Each county board may increase the license fee of \$24.50 by an amount not to exceed \$5, which amount shall become a part of the funds of the county. The clerk shall also receive a standard notary fee of 50 cents for each license granted which may be retained by him or her if operating on a fee or part fee basis, but which otherwise shall become part of the funds of the county.

SECTION 1782p. 765.18 of the statutes is repealed.

SECTION 1782q. 765.19 of the statutes is amended to read:

**765.19 (title) Delivery and filing of marriage document.** The marriage certificate marked "duplicate", duly signed, shall be given by the officiating person to the persons married; and the certificate marked "original" document, legibly and completely filled

out with unfading black ink, shall be returned by the officiating person, or, in the case of a marriage ceremony performed without an officiating person, then by the parties to the marriage contract, or either of them, to the register of deeds of the county in which the marriage was performed, or if performed in a city, then to the city health officer within 3 days after the date of the marriage. ~~The marriage license shall be retained by the person who solemnizes the marriage, or in case of a marriage performed without an officiating person, by the parties to the marriage contract, or either of them, to be prima facie evidence of authority to perform the marriage ceremony.~~

SECTION 1782r. 765.20 of the statutes is amended to read:

**765.20 Records and blanks.** The state registrar of vital statistics shall prescribe ~~model~~ forms for blank applications, statement, consent of parents, affidavits, ~~licenses and marriage certificates~~ documents and other ~~such~~ forms as ~~shall be~~ are necessary to comply with the provisions of this chapter. The county clerk shall keep among the records in the office, a suitable book ~~to be~~ called the marriage license docket and shall enter therein a complete record of the applications for, and the issuing of all marriage licenses, and of all other matters which the clerk is required by this chapter to ascertain relative to the rights of any person to obtain a marriage license. Said An application may be recorded by entering into the docket the completed application form, with any portion collected only for statistical purposes removed. The marriage license docket shall be open for public inspection or examination at all times during office hours.

SECTION 1782s. 765.30 (1) (a) to (d) of the statutes are repealed.

SECTION 1782t. 765.30 (1) (e) of the statutes is renumbered 765.30 (1) (a).

SECTION 1782u. 765.30 (2) (b), (3) (a) and (4) (a) of the statutes are amended to read:

765.30 (2) (b) (title) *Penalty for unlawful issuance of marriage license.* Any county clerk who knowingly issues a marriage license contrary to or in violation of any section of this chapter, ~~other than s. 765.06.~~

765.30 (3) (a) *Penalty for unlawful solemnization of marriage.* Any officiating person who solemnizes a marriage unless the contracting parties have first obtained a proper marriage license as heretofore provided; or unless the parties to such marriage declare that they take each other as husband and wife; or without the presence of 2 competent adult witnesses; ~~or, in the case of parties within the age limits prescribed in s. 765.02, unless the consent, as hereinbefore provided, of the parent or guardian of such parties is stated in such license;~~ or solemnizes a marriage knowing of any legal impediment thereto; or solemnizes a marriage more than 30 days after the date of the marriage license; or falsely certifies to the date of a marriage solemnized by the officiating person; or solemnizes a marriage in a county other than the county prescribed in s. 765.12.

(4) (a) (title) *Penalty for failure to file marriage certificate.* Every officiating person, or persons marrying without the presence of an officiating person, as provided by s. 765.16 (3), who neglect or refuse to transmit the original ~~certificate of any marriage certificate,~~ solemnized by him or them, to the register of deeds of the county or the city health officer as provided in s. 69.09 within 3 days after the date of such marriage.

SECTION 1785. 767.25 (1) (intro.) of the statutes is amended to read:

767.25 (1) (intro.) Upon every judgment of annulment, divorce or legal separation, or in rendering a judgment in an action under s. 767.02 (1) (f) or (j) or 767.08, the court may order either or both parents to pay an amount reasonable or necessary for support of a child and shall specifically assign responsibility for payment of medical expenses, after considering the guidelines for the determination of child support established by the department of health and social services and considering:

SECTION 1786. 767.265 (1) of the statutes is amended to read:

767.265 (1) Each order for child support under s. 767.23 or 767.25, for maintenance payments under s. 767.23 or 767.26, for family support under s. 767.261, for support by a spouse under s. 767.02 (1) (f) or for maintenance payments under s. 767.02 (1) (g) shall include an order directing the payer to assign commissions, earnings, salaries, wages and other income due or to be due in the future ~~from his or her employer or successor employers~~ to the clerk of the court where the action is filed, as will be sufficient to meet the maintenance payments, child support payments or family support payments imposed by the court for the support of the spouse or minor children or both and to defray arrearages in payments due at the time the assignment takes effect. Each order for child support under s. 767.23 or 767.25 may include an order directing the payer to assign benefits under ch. 102 or 108 due or to be due in the future to the clerk of the court where the action is filed, as will be sufficient to meet the child support payments imposed by the court for the support of minor children and to defray arrearages in payments due at the time the assignment takes place. The assignment of income shall take effect when the requirement of sub. (2) has been satisfied, or, at the discretion of the court or family court commissioner, may take effect immediately.

SECTION 1787. 767.265 (3) of the statutes is amended to read:

767.265 (3) An assignment made under this section shall be binding upon the ~~employer and successor employers~~ party from whom the payer receives salary, benefits or wages one week after service upon ~~the employer~~ it of a true copy of the assignment signed by the ~~employe~~ payer and annexed to a copy of the order, by personal service or by registered or certified mail, until further order of the court. For each payment the ~~employer~~ party from whom the payer receives salary, benefits or wages shall receive \$1 which shall be deducted from the money to be paid ~~the employe~~ to the payer. Section 241.09 does not apply to assignments under this section. ~~An employer who~~ If the party from whom the payer receives salary, benefits or wages fails to make the assignment after receipt of the true copy of the assignment and order as provided in this section, it may be fined not more than \$200 and may be required to pay the amount assigned to the clerk of the court. ~~The~~ An employer may not use such assignments as a basis for the discharge of an employe or for any disciplinary action against the employe. An employer who discharges or disciplines an employe in violation of this subsection may be fined not more than \$200 and may be required to make full restitution to the aggrieved employe, including reinstatement and back pay. Compliance by ~~an employer~~ the party from whom the payer receives salary, benefits or wages with the order operates as a discharge of ~~the employer's~~ its liability to the ~~employe~~ payer as to that portion of the ~~employe's~~ payer's commission, earnings, salaries, wages, benefits or other income so affected.

SECTION 1788m. 767.33 of the statutes is created to read:

**767.33 Annual adjustments in child support order.** (1) An order for child support under s. 767.23 or 767.25 may provide for an adjustment in the amount to be paid based on a change in the obligor's earnings or in the cost of living or both. The order may specify the date on which the annual adjustment becomes effective. No adjustment may be made unless the order so provides and the party receiving payments applies for an adjustment as provided in sub. (2). An adjustment under this section may be made only once in any year.

(2) An adjustment under sub. (1) may be made only if the party receiving payments applies to the family court commissioner for the adjustment. If the order specifies the date on which the annual adjustment becomes effective, the application to the family court commissioner must be made at least 20 days before the effective date of the adjustment. The family court commissioner, upon application by the party receiving payments, shall send a notice by certified mail to the last-known address of the obligor. The notice shall be postmarked no later than 10 days after the date on which the application was filed and shall inform the obligor that an adjustment in payments will become effective on the date specified in the order or, if no date is specified in the order, 10 days after the date on

which the notice is sent. The obligor may, after receipt of notice and before the effective date of the adjustment, request a hearing on the issue of whether the adjustment should take effect, in which case the adjustment shall be held in abeyance pending the outcome of the hearing. The family court commissioner shall hold a hearing requested under this subsection within 10 working days after the request. If at the hearing the obligor establishes that extraordinary circumstances beyond his or her control prevent fulfillment of the adjusted child support obligation, the family court commissioner may direct that all or part of the adjustment not take effect until the obligor is able to fulfill the adjusted obligation. If at the hearing the obligor does not establish that extraordinary circumstances beyond his or her control prevent fulfillment of the adjusted obligation, the adjustment shall take effect as of the date it would have become effective had no hearing been requested. Either party may, within 15 working days of the date of the decision by the family court commissioner under this subsection, seek review of the decision by the court with jurisdiction over the action.

SECTION 1788p. 767.395 of the statutes is created to read:

**767.395 Duties; department of health and social services.** (1) The department of health and social services shall submit guidelines for the determination of child support under s. 767.25 (1) to any appropriate standing committee of the legislature for review prior to implementation.

(2) The department of health and social services shall develop cost of living indices and earnings indices for consideration by courts in ordering adjustments in child support under s. 767.33 (1).

SECTION 1793. 778.136 of the statutes is created to read:

**778.136 Lobbying forfeitures; how recovered.** Notwithstanding s. 778.13, whenever any moneys are received by the secretary of state in settlement of a civil action for violation of the lobbying law under s. 13.685 (5), the moneys shall accrue to the state and be deposited with the state treasurer.

SECTION 1793m. 783.07 of the statutes is amended to read:

**783.07 Fine or imprisonment.** Whenever a peremptory mandamus shall be directed to any public officer, body ~~or~~ board or person, commanding the performance of any public duty specially enjoined by law, if it shall appear to the court that such officer ~~or person~~ or any member of such body or board has, without just excuse, refused or neglected to perform the duty so enjoined the court may impose a fine, not exceeding \$5,000, upon every such officer, person or member of such body or board, or sentence the officer, person or member to imprisonment for a term not exceeding 5 years.

SECTION 1801. 879.65 (intro.) of the statutes is amended to read:

**879.65 Annuity table.** (intro.) The present value of any estate, annuity or interest of beneficiary may be computed on the basis of the American experience table of mortality with Craig's extension below age 10, and interest at 5% per year. The Northampton table of mortality and interest at the aforesaid rate may be used where it is impracticable to use the aforesaid basis. Any court or judge by whom any present value is to be determined may transmit to the commissioner of insurance a statement of the facts ~~he requires~~ required, and the commissioner shall make the necessary computation ~~and certify it without charge~~. The present value of an immediate annuity of \$1, on the above basis for a single life is as follows:

SECTION 1816c. 885.235 (1) of the statutes is amended to read:

885.235 (1) In any action or proceeding in which it is material to prove that a person was under the influence of an intoxicant when operating or driving a motor vehicle, or while handling a firearm, evidence of the amount of alcohol in ~~such~~ the person's blood at the time in question, as shown by chemical analysis of a sample of ~~his breath~~, the person's blood or urine or evidence of the amount of alcohol in the person's breath, is admissible on

the issue of whether he or she was under the influence of an intoxicant if ~~such~~ the sample was taken within ~~2 3~~ hours after the event to be proved. ~~Such~~ The chemical analysis shall be given effect as follows without requiring any expert testimony as to its effect:

(a) The fact that the analysis shows that there was ~~five-hundredths of one per cent~~ 0.05 % or less by weight of alcohol in the person's blood or 0.05 grams of alcohol or less in 210 liters of the person's breath is prima facie evidence that ~~he~~ the person was not under the influence of an intoxicant;

(b) The fact that the analysis shows that there was more than 0.05% but less than 0.1% by weight of alcohol in the person's blood or more than 0.05 grams but less than 0.1 grams of alcohol in 210 liters of the person's breath is relevant evidence on the issue of intoxication but is not to be given any prima facie effect;

(c) ~~The~~ Except for offenses specified in ss. 346.63 (1) and (2) (a), 940.09 (1) and 940.25 (1), the fact that the analysis shows that there was 0.1% or more by weight of alcohol in the person's blood or 0.1 grams or more of alcohol in 210 liters of the person's breath is prima facie evidence that he or she was under the influence of an intoxicant, ~~but shall not, without corroborating physical evidence thereof, be sufficient upon which to find the person guilty of being under the influence of intoxicants.~~

SECTION 1816d. 885.235 (2a) of the statutes is repealed.

SECTION 1816e. 885.235 (3) of the statutes is amended to read:

885.235 (3) If the sample of breath, blood or urine was not taken within ~~2 3~~ hours after the event to be proved, evidence of the amount of alcohol in the person's blood or breath as shown by the chemical analysis is admissible only if expert testimony establishes its probative value and may be given prima facie effect only if ~~such~~ the effect is established by expert testimony except for offenses specified in ss. 346.63 (1) and (2) (a), 940.09 (1) and 940.25 (1).

SECTION 1816f. 885.235 (4) of the statutes is amended to read:

885.235 (4) ~~The~~ Except as provided in ss. 346.63 (1) (b) and (2) (a) 2, 940.09 (1) (b) and 940.25 (1) (b), the provisions of this section relating to the admissibility of chemical tests for intoxication shall not be construed as limiting the introduction of any other competent evidence bearing on the question of whether or not a person was under the influence of an intoxicant.

Vetoed  
in Part

~~SECTION 1816g. 885.235 (4) (c) of the statutes is repealed.~~

SECTION 1817. 895.46 (1) (a) of the statutes is amended to read:

895.46 (1) (a) If the defendant in any action or special proceeding is a public officer or employe and is proceeded against in an official capacity or is proceeded against as an individual because of acts committed while carrying out duties as an officer or employe and the jury or the court finds that the defendant was acting within the scope of employment, the judgment as to damages and costs entered against the officer or employe in excess of any insurance applicable to the officer or employe shall be paid by the state or political subdivision of which the defendant is an officer or employe. Agents of any department of the state shall be covered by this section while acting within the scope of ~~any written agreement entered into prior to the occurrence of any act which results in any action or special proceeding~~ their agency. Regardless of the results of the litigation the governmental unit, if it does not provide legal counsel to the defendant officer or employe, shall pay reasonable attorney fees and costs of defending the action, unless it is found by the court or jury that the defendant officer or employe did not act within the scope of employment. If the employing state agency or the attorney general denies that the state officer, employe or agent was doing any act growing out of or committed in the course of the discharge of his or her duties, the attorney general may appear on behalf of the state to contest that issue without waiving the state's sovereign immunity to suit. Failure by the officer or employe to give notice to his or her department head of an action or special

proceeding commenced against the defendant officer or employe as soon as reasonably possible is a bar to recovery by the officer or employe from the state or political subdivision of reasonable attorney fees and costs of defending the action. The attorney fees and expenses shall not be recoverable if the state or political subdivision offers the officer or employe legal counsel and the offer is refused by the defendant officer or employe. If the officer, employe or agent of the state refuses to cooperate in the defense of the litigation, the officer, employe or agent is not eligible for any indemnification or for the provision of legal counsel by the governmental unit under this section.

SECTION 1817g. 940.09 of the statutes is repealed and recreated to read:

**940.09 Homicide by intoxicated user of vehicle or firearm.** (1) Any person who does either of the following is guilty of a Class D felony:

(a) Causes the death of another by the operation or handling of a vehicle, firearm or airgun and while under the influence of an intoxicant or a controlled substance or a combination of an intoxicant and a controlled substance;

(b) Causes the death of another by the operation or handling of a vehicle, firearm or airgun while the person has a blood alcohol concentration of 0.1% or more by weight of alcohol in that person's blood or 0.1 grams or more of alcohol in 210 liters of that person's breath.

(c) A person may be charged with and a prosecutor may proceed upon an information based upon a violation of par. (a) or (b) or both for acts arising out of the same incident or occurrence. If the person is charged with violating both pars. (a) and (b) in the information, the crimes shall be joined under s. 971.12. If the person is found guilty of both pars. (a) and (b) for acts arising out of the same incident or occurrence, there shall be a single conviction for purposes of sentencing and for purposes of counting convictions under ss. 343.30 (1q) and 343.305. Paragraphs (a) and (b) each require proof of a fact for conviction which the other does not require.

(2) The actor has a defense if it appears by a preponderance of the evidence that the death would have occurred even if the actor had not been under the influence of an intoxicant or a controlled substance or a combination thereof.

(3) An officer who makes an arrest for a violation of this section shall make the report required under s. 346.635.

SECTION 1817r. 940.25 of the statutes is repealed and recreated to read:

**940.25 Injury by intoxicated use of a vehicle.** (1) Any person who does either of the following is guilty of a Class E felony:

(a) Causes great bodily harm to another human being by the operation of a vehicle while under the influence of an intoxicant or a controlled substance or a combination of an intoxicant and a controlled substance.

(b) Causes great bodily harm to another human being by the operation of a vehicle while the person has a blood alcohol concentration of 0.1% or more by weight of alcohol in that person's blood or 0.1 grams or more of alcohol in 210 liters of that person's breath.

(c) A person may be charged with and a prosecutor may proceed upon an information based upon a violation of par. (a) or (b) or both for acts arising out of the same incident or occurrence. If the person is charged with violating both pars. (a) and (b) in the information, the crimes shall be joined under s. 971.12. If the person is found guilty of both pars. (a) and (b) for acts arising out of the same incident or occurrence, there shall be a single conviction for purposes of sentencing and for purposes of counting convictions under ss. 343.30 (1q) and 343.305. Paragraphs (a) and (b) each require proof of a fact for conviction which the other does not require.

(2) The actor has a defense if it appears by a preponderance of the evidence that the great bodily harm would have occurred even if the actor had not been under the influence of an intoxicant or a controlled substance or a combination thereof.

(3) An officer who makes an arrest for a violation of this section shall make the report required under s. 346.635.

SECTION 1818. 940.29 (intro.) of the statutes is amended to read:

**940.29 (title) Abuse of residents of facilities.** (intro.) Any person in charge of or employed in any of the following ~~institutions~~ facilities who abuses, neglects or ill-treats any person confined in or ~~an inmate a resident~~ of any such ~~institution~~ facility or who knowingly permits another person to do so is guilty of a Class E felony:

SECTION 1819. 940.29 (8) of the statutes is repealed and recreated to read:

940.29 (8) A community-based residential facility as defined in s. 50.01 (1).

SECTION 1820. 940.29 (9) of the statutes is repealed.

SECTION 1821a. 943.62 of the statutes is created to read:

**943.62 Unlawful receipt of payments to obtain loan for another.** (1) In this section, "escrow agent" means a state or federally chartered bank, savings and loan association or credit union located in this state.

(2) No person may receive a payment from a customer as an advance fee, salary, deposit or money for the purpose of obtaining a loan or a lease of personal property for the customer unless the payment is immediately placed in escrow subject to the condition that the escrow agent shall deliver the payment to the person only upon satisfactory proof of the closing of the loan or execution of the lease within a period of time agreed upon in writing between the person and the customer; otherwise the payment shall be returned to the customer immediately upon expiration of the time period.

(2m) Notwithstanding sub. (2), an escrow agent may release moneys in an escrow deposit to a mortgage banker licensed under ch. 452, bank, savings and loan association, or credit union who or which has acted as a broker or finder of a loan for a customer, upon satisfactory proof of the issuance of a financing commitment made in accordance with a written application or agreement.

(3) (a) Advance payments to cover reasonably estimated costs are excluded from the requirements of sub. (2) if the customer first signs a written agreement which recites in capital and lowercase letters of not less than 12-point boldface type all of the following:

1. The estimated costs by item.
2. The estimated total costs.
3. Money advanced for incurred costs will not be refunded.

(b) If a cost under par. (a) is not incurred, the person shall refund that amount to the customer.

(4) Whoever violates this section is guilty of:

(a) A Class A misdemeanor, if the value of the advance payment or required refund, as applicable, does not exceed \$500.

(b) A Class E felony, if the value of the advance payment or required refund, as applicable, exceeds \$500 but does not exceed \$2,500.

(c) A Class C felony, if the value of the advance payment or required refund, as applicable, exceeds \$2,500.

SECTION 1821b. 949.01 (4) of the statutes is amended to read:

949.01 (4) "Medical treatment" includes medical, surgical, dental, optometric, chiropractic, podiatric and hospital care; medicines; medical, dental and surgical supplies; crutches; artificial members; appliances and training in the use of artificial members and appliances. "Medical treatment" includes any Christian Science treatment for cure or relief from the effects of injury.

SECTION 1821c. 949.04 (3) of the statutes is amended to read:

949.04 (3) **MEDICAL AND DENTAL RECORDS.** The applicant shall submit to the department, ~~prior to the hearing under s. 949.11,~~ reports from all physicians, osteopaths, dentists, optometrists, chiropractors or podiatrists who treated or examined the victim at the time of or subsequent to the victim's injury or death. The department may also order such other examinations and reports of the victim's previous medical and dental history, injury or death as it believes would be of material aid in its determination.

SECTION 1821d. 949.06 of the statutes is repealed and recreated to read:

**949.06 Computation of award.** (1) In accordance with this chapter, the department shall make awards, as appropriate, for any of the following economic losses incurred as a direct result of an injury:

a. Medical treatment.

b. Work loss, which shall be determined as follows:

1. If the victim was employed at the time of the injury, loss of actual earnings shall be based upon the victim's net salary at the time of the injury.

2. If the victim was not employed at the time of the injury or, if as a direct result of the injury, the victim suffered a disability causing a loss of potential earnings, the award may be based upon a sufficient showing by the victim that he or she actually incurred loss of earnings. The amount of the award shall be reduced by any income from substitute work actually performed by the victim or by income the victim would have earned in available appropriate substitute work the victim was capable of performing, but unreasonably failed to undertake.

3. If the sole employment of the victim at the time of the injury or death, and for the preceding 5 years was limited to performing duties and responsibilities of a homemaker, the award shall be sufficient to ensure that the duties and responsibilities are continued until the victim is able to resume the performance of the duties, or until the cost of services reaches the maximum allowable under sub. (2), whichever is less.

4. Weekly payments under this paragraph shall not exceed the limits prescribed in s. 102.11.

c. Reasonable replacement value of any clothing that is held for evidentiary purposes, but not to exceed \$100.

d. Reasonable funeral and burial expenses, not to exceed \$2,000. The funeral and burial award may not be considered by the department under sub. (2).

e. Dependent's economic loss, which shall include contributions of things of economic value provided by the victim to dependents but lost as a result of the victim's death. Loss of support shall be determined on the basis of the victim's net salary at the time of death, and shall be calculated as an amount equal to 4 times the victim's average annual earnings.

(2) The department may not make an award of more than \$10,000 for any one injury or death.

(3) Any award made under this section shall be reduced by the amount of any payment received, or to be received, as a result of the injury or death:

(a) From, or on behalf of, the person who committed the crime.

(b) From insurance payments or program, including worker's compensation and unemployment compensation.

(c) From public funds.

(d) As an emergency award under s. 949.10.

(4) (a) An award may be made whether or not any person is prosecuted or convicted of any offense arising out of such act or omission.



(b) The department may suspend proceedings under this chapter for a period it deems appropriate on the grounds that a prosecution for an offense arising out of the act or omission has been commenced or is imminent.

SECTION 1821h. 949.07 of the statutes is amended to read:

**949.07 Manner of payment.** The award, combining both the compensation award and the funeral and burial award, if applicable, shall be paid in a lump sum, except that in the case of death or protracted disability the award may provide for periodic payments. The department may pay any portion of an award directly to the provider of any service which is the basis for that portion of the award. No award may be subject to execution, attachment, garnishment or other process, except that an award for allowable expense is not exempt from a claim of a creditor to the extent that the creditor provided products, services or accommodations the costs of which are included in the award.

SECTION 1821m. 949.08 (2) of the statutes is repealed and recreated to read:

949.08 (2) No award may be ordered if the victim:

(a) Engaged in conduct which substantially contributed to the infliction of the victim's injury or death or in which the victim could have reasonably foreseen could lead to the injury or death. This does not apply to awards to victims under s. 949.03 (1) (a).

(b) Committed a crime which caused or contributed to the victim's injury or death.

(c) Is the spouse of, or a person living in the same household with, the offender, the offender's relatives or accomplice or is the parent, child, brother or sister of the offender or the offender's accomplice. This paragraph does not apply if the department determines in a particular case that the interest of justice so requires.

(d) Has not cooperated with appropriate law enforcement agencies.

SECTION 1821s. 949.10 (1) (intro.) of the statutes is amended to read:

949.10 (1) (intro.) Notwithstanding s. 949.06, ~~if an examiner to whom a claim is assigned the department determines, prior to the holding of a hearing, that an award will probably be made and that undue hardship will result to the claimant if immediate payment is not made, the examiner~~ department may order emergency awards as follows:

SECTION 1821t. 949.115 of the statutes is created to read:

**949.115 Subpoenas.** The department or any of its authorized agents may issue subpoenas for persons or records for any investigation or hearing conducted under this chapter and may enforce compliance with such subpoenas as provided in s. 885.12.

SECTION 1821u. 949.12 (title) of the statutes is amended to read:

**949.12 (title) Condition of claimant.**

SECTION 1821v. 949.12 (1) of the statutes is renumbered 949.12.

SECTION 1821w. 949.12 (2) to (4) of the statutes are repealed.

SECTION 1821x. 949.13 of the statutes is created to read:

**949.13 Agency cooperation.** Upon request by the department, any state or local agency, including a district attorney or law enforcement agency, shall make available all reports, files and other appropriate information which the department requests in order to make a determination that an applicant is eligible for an award under this chapter.

SECTION 1821xm. 949.15 (2) of the statutes is amended to read:

949.15 (2) ~~If a claimant brings an action to recover damages in which~~ In addition to the authority of the department to bring an action under sub. (1), the claimant may bring an action to recover damages. In any such action, the department has subrogation rights under sub. (1), and the claimant shall join the department as a party under s. 803.03 (2) (a). After joinder, the department has the options specified in s. 803.03 (2) (b).

SECTION 1821y. 949.17 of the statutes is repealed and recreated to read:

**949.17 Offenses.** (1) **PROHIBITION.** In connection with the crime victim compensation program, no person may:

- (a) Submit a fraudulent application or claim for an award;
- (b) Intentionally make or cause to be made any false statement or representation of a material fact; or
- (c) Intentionally conceal or fail to disclose information affecting the amount of or the initial or continued right to any such award when reasonably requested to provide such information by the department.

(2) **PENALTIES.** Any person who violates this section shall be fined not more than \$500 or imprisoned not more than 6 months or both. The person shall further forfeit any benefit received and shall reimburse the state for payments received or paid to or on behalf of the person.

(3) **DAMAGES.** The state has a civil cause of action for relief against any person who violates this section for the amount of damages which the state sustained by reason of the violation and, in addition, for punitive damages not more than double the amount of damages which the state may have sustained, together with interest, and the cost of the suit.

(4) **ACTION.** The attorney general may bring any action and has such powers as may be necessary to enforce this section.

**SECTION 1822g.** 950.06 (2) of the statutes is amended to read:

950.06 (2) The costs of enforcing rights under s. 950.04 and providing services under s. 950.05 shall be paid for by the county, but the county is eligible to receive reimbursement from the state for the costs incurred in providing services under s. 950.05 (1). For costs incurred on or after January 1, 1982, the county is eligible to receive funding from the state for not more than 90% of the costs incurred in providing services under s. 950.05 (1). The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse the counties from the appropriation under s. 20.455 (5) ~~(b) [20.455 (6) (b)]~~ (c) on a semiannual basis for services provided on or after ~~6 months after November 1, 1980~~ May 1, 1981.

**SECTION 1822m.** 950.06 (4) of the statutes is amended to read:

950.06 (4) ~~The~~ If the county seeks reimbursement under sub. (2), the county board shall submit a program plan to the department, ~~if the county seeks reimbursement under sub. (2), for its approval not later than 6 months after November 1, 1980~~ [not later than 6 months after November 1, 1980]. The county is eligible for reimbursement under sub. (2) only if the department has approved the plan. The program plan shall describe the level of services to victims and witnesses that the county intends to provide; the personnel or agencies responsible for related administrative programs and individual services; proposed staffing for the program; proposed education, training and experience requirements for program staff and the staff of agencies providing related administrative programs and individual services; the county's budget for implementing the program and other information the department determines to be necessary for its review. The plan shall provide that the district attorney, local law enforcement agencies and the courts shall make available to the person or agency responsible for administering the program all reports or files, except reports or files which are required by statute to be kept confidential, if the reports or files are required by the person or agency to carry out program responsibilities. In August of each year, the county board shall submit a report to the department on the operation of the plan, including the enforcement of rights under s. 950.04 and the provision of services under s. 950.05.

**SECTION 1822t.** 950.06 (5) of the statutes is amended to read:

950.06 (5) The department shall review and approve the implementation and operation of programs and the annual reports under this section. The department may suspend or terminate reimbursement under s. 20.455 (5) ~~(b) [20.455 (6) (b)]~~ (c) if the county

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fails to comply with its duties under this section. The department shall promulgate rules under ch. 227 for implementing and administering county programs approved under this section.

SECTION 1822v. 967.055 of the statutes is created to read:

**967.055 Dismissing or amending charges; operating a motor vehicle; intoxicant or controlled substance.** (1) **INTENT.** The legislature intends to encourage the vigorous prosecution of offenses concerning the operation of motor vehicles by persons under the influence of an intoxicant, or a controlled substance or both.

(2) **DISMISSING OR AMENDING CHARGE.** Notwithstanding s. 971.29, if the prosecutor seeks to dismiss or amend a charge under s. 346.63 (1) or a local ordinance in conformity therewith, or s. 346.63 (2) or 940.25, or s. 940.09 where the offense involved the use of a vehicle or an improper refusal under s. 343.305, the prosecutor shall apply to the court. The application shall state the reasons for the proposed amendment or dismissal. The court may approve the application only if the court finds that the proposed amendment or dismissal is consistent with the public's interest in deterring the operation of motor vehicles by persons who are under the influence of an intoxicant, a controlled substance or both.

SECTION 1823. 967.06 of the statutes is amended to read:

**967.06 Determination of indigency; appointment of counsel; preparation of record.** As soon as practicable after a person has been detained or arrested in connection with any offense which is punishable by incarceration, or in connection with any civil commitment proceeding, or in any other situation in which a person is entitled to counsel regardless of ability to pay under the constitution or laws of the United States or this state, the person shall be informed of his or her right to counsel. Persons who indicate at any time that they wish to be represented by a lawyer, and who claim that they are not able to pay in full for a lawyer's services, shall immediately be permitted to contact the authority for indigency determinations specified under s. 977.07 (1). In any case in which the state public defender provides representation to an indigent person, ~~the county treasurer of the county in which the person was prosecuted or committed shall compensate the public defender may request that the applicable court reporter or clerk of courts for the preparation of~~ prepare and transmit any transcript or court record. The request shall be complied with. The county treasurer shall compensate the court reporter or clerk of courts for the preparation and transmittal of the documents, upon the written statement of the state public defender that the documents were required in order to provide representation to the indigent person.

SECTION 1825g. 973.05 of the statutes is amended to read:

**973.05 Fines.** (1) When a defendant is sentenced to pay a fine, the court may grant permission for the payment of the fine, of the penalty assessment imposed by s. 165.87, any applicable domestic abuse assessment imposed by s. 973.055, any applicable driver improvement surcharge imposed by s. 346.655, any applicable natural resources assessment imposed by s. 29.997 and any applicable natural resources restitution payment imposed by s. 29.998 to be made within a period not to exceed 60 days. If no such permission is embodied in the sentence, the fine, the penalty assessment, any applicable domestic abuse assessment, any applicable driver improvement surcharge, any applicable natural resources assessment and any applicable natural resources restitution payment shall be payable immediately.

(2) When a defendant is sentenced to pay a fine and is also placed on probation, the court may make the payment of the fine, the penalty assessment, any applicable domestic abuse assessment, any applicable driver improvement surcharge, any applicable natural resources assessment and any applicable natural resources restitution payments a condition of probation. When the payments are made a condition of probation by the court, payments thereon shall be applied first to payment of the penalty assessment until paid in

full, shall then be applied to payment of the driver improvement surcharge until paid in full, shall then be applied to payment of the domestic abuse assessment until paid in full, shall then be applied to payment of the natural resources assessment if applicable until paid in full, shall then be applied to payment of the natural resources restitution payment until paid in full and shall then be applied to payment of the fine.

SECTION 1825r. 973.07 of the statutes is amended to read:

**973.07 Failure to pay fine or costs.** If the fine, costs, penalty assessment, applicable domestic abuse assessment payment, applicable driver improvement surcharge payment, applicable natural resources assessment or applicable natural resources restitution payment are not paid as required by the sentence, the defendant may be committed to the county jail until the fine, costs, penalty assessment, applicable domestic abuse assessment payment, applicable driver improvement surcharge payment, applicable natural resources assessment or applicable natural resources restitution payment are paid or discharged for a period fixed by the court not to exceed 6 months.

SECTION 1825t. 975.06 (6) of the statutes is amended to read:

975.06 (6) Persons committed under this section who are also encumbered with other sentences, whether concurrent with or consecutive to the commitment, ~~shall be received or remain at the sex crimes facility designated by the department~~ may be placed by the department in any of the facilities listed in s. 975.08 (2) or (3). Such facilities may be regarded as state prisons for the purpose of beginning the other sentences, crediting time served on them, and computing parole eligibility dates.

SECTION 1825w. 975.08 (2) of the statutes is amended to read:

975.08 (2) The department shall then arrange for his treatment in the institution best suited in its judgment to care for him. It may transfer him to or from any institution, including any correctional institution listed under s. 53.01, to provide for him according to his needs and to protect the public. The department may irrespective of his consent require participation by him in vocational, physical, educational and correctional training and activities; may require such modes of life and conduct as seem best adapted to fit him for return to full liberty without danger to the public; and may make use of other methods of treatment and any treatment conducive to the correction of the person and to the prevention of future violations of law by him.

SECTION 1826m. 975.10 of the statutes is amended to read:

~~975.10 Parole. Any person committed as provided in this chapter may be paroled if it appears to the satisfaction of the department after recommendation by a special review board, appointed by the department, a majority of whose members shall not be connected with the department, that he or she is capable of making an acceptable adjustment in society. If the parolee is on parole for 24 consecutive months and parole revocation or extension proceedings have not been initiated against him or her during that time period, the department shall discharge him or her from parole. If the department seeks to extend parole beyond the 24-month period, the department shall petition the sentencing court for a parole extension hearing. The hearing shall be held within 10 days after the petition is filed, unless a delay is requested by the parolee. At the hearing, the department must show that the parole extension is essential for the rehabilitation of the offender and the protection of society. If the department makes the required showing, the court may extend the period of parole, but not beyond the maximum term for which the parolee was sentenced. If the department does not make the required showing, the parole extension shall not be granted.~~

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SECTION 1826r. 975.17 of the statutes is amended to read:

**975.17 Option for resentencing.** A person who has been committed under ch. 975, 1977 stats., or the department, may petition the committing court for resentencing. A court shall act upon any petition received, and resentencing shall be in accordance with ch. 973.

The person shall be given credit for time served pursuant to the commitment under this chapter.

SECTION 1827. 977.02 (5) of the statutes is repealed.

SECTION 1827g. 977.02 (6) of the statutes is created to read:

977.02 (6) Promulgate rules to accommodate the handling of certain potential conflict of interest cases by the office of the state public defender. The rules shall not provide for the automatic referral of all potential conflict of interest cases to private counsel.

SECTION 1827r. 977.02 (7m) of the statutes is created to read:

977.02 (7m) Establish agreements with the state bar association, local bar associations, law firms and private counsel designed to encourage a certain amount of legal representation under this chapter without compensation as a service to the state.

SECTION 1829. 977.05 (4) (i) 6 of the statutes is repealed.

SECTION 1831. 977.05 (4) (j) of the statutes is amended to read:

977.05 (4) (j) At the request of any person determined by the state public defender to be indigent or upon referral of any court to, prosecute a writ of error, appeal, writ of habeas corpus or other post-conviction or post-commitment remedy or attack the conditions of confinement on behalf of such person before any court, if the state public defender ~~is first satisfied there is arguable merit to such proceedings~~ determines the case should be pursued.

SECTION 1833. 977.07 (2) of the statutes is amended to read:

977.07 (2) The representative of the state public defender or the authority for indigency determinations specified under s. 977.07 (1) making a determination of indigency shall ascertain the assets of the person which exceed the amount needed for the payment of reasonable and necessary expenses incurred, or which must be incurred to support the person and the person's immediate family. The assets shall include disposable income, cash in hand, stocks and bonds, bank accounts and other property which can be converted to cash within a reasonable period of time and is not needed to hold a job, or to shelter, clothe and care for the person and the person's immediate family. Assets which cannot be converted to cash within a reasonable period of time, such as a person's home, car, household furnishings, clothing and other property which has been declared exempt from attachment or execution by law, shall be calculated to be assets equivalent in dollars to the amount of the loan which could be, in fact, raised by using these assets as collateral. If the person's assets, less reasonable and necessary living expenses, are not sufficient to cover the anticipated cost of effective representation when the length and complexity of the anticipated proceedings are taken fully into account, the person shall be determined to be indigent in full or in part. The determination of the ability of the person to contribute to the cost of legal services shall be based upon specific written standards relating to income, assets and the anticipated cost of representation. If found to be indigent in full or in part, the person shall be promptly informed of the state's right to recoupment under s. 757.66, and the possibility that such payment of attorney fees may be made a condition of probation, should the person be placed on probation. Furthermore, if found to be indigent in part, the person shall be promptly informed of the extent to which he or she will be expected to pay for counsel, and whether such payment shall be in the form of a lump sum payment or periodic payments. The payment and payment schedule shall be set forth in writing. Payments for services of the state public defender or other counsel provided under this chapter shall be paid to the state public defender for deposit in the state treasury. Under this subsection, reasonable and necessary living expenses equal the applicable payment amount under s. 49.19 (11) (a) 1 plus other specified, emergency or essential costs and the cost of posting bond to obtain release. The representative or authority making the determination of indigency shall consider any assets of the spouse of the person

claiming to be indigent as if they were assets of the person, unless the spouse was the victim of a crime allegedly committed by the person.

SECTION 1835. 977.08 (4) of the statutes is amended to read:

977.08 (4) At the conclusion of each case, any private local attorney who has been appointed shall submit duplicate copies of his or her bill to the circuit court and to the state public defender. If the bill exceeds \$1,000 in a case involving a person with a crime against life under ss. 940.01 to 940.12 or exceeds \$750 in any other case, the circuit court shall, and for any other bill the circuit court may, submit comments to the state public defender within 30 days after the bill is submitted. After the 30-day period, the state public defender shall review the bill and reject it or approve it in whole or in part. The state public defender shall then pay the bill according to the ~~payment schedule established by the board~~ rate under sub. (4m). Any attorney dissatisfied with the decision of the state public defender regarding the bill may have the decision reviewed by the board. This subsection does not apply if the attorney is working under an agreement authorized under s. 977.02 (7m).

SECTION 1836. 977.08 (4m) of the statutes is created to read:

977.08 (4m) Private local attorneys shall be paid \$35 per hour for time spent in court and \$25 per hour for other time spent related to a case.

SECTION 1836g. 977.08 (5) (a) of the statutes is amended to read:

977.08 (5) (a) In Buffalo, Burnett, Calumet, Crawford, ~~Florence~~ Douglas, Green, ~~Kewaunee~~, Lafayette, Langlade, Lincoln, Marinette, Marquette, Menominee, ~~Monroe~~, Oconto, Pepin, Pierce, Price, Rusk, Sauk, Sawyer, ~~Shawano~~ Sheboygan, Taylor, Trempealeau, Vernon and Washburn counties, 100% of the cases shall be handled by private counsel.

SECTION 1836i. 977.08 (5) (c) of the statutes is amended to read:

977.08 (5) (c) In Adams, Ashland, Barron, Bayfield, Chippewa, Clark, Dodge, Door, ~~Douglas~~, Dunn, Eau Claire, ~~Florence~~, Fond du Lac, Forest, Green Lake, Iowa, Iron, Jefferson, ~~Kewaunee~~, La Crosse, Manitowoc, ~~Monroe~~, Oneida, Ozaukee, Portage, Richland, St. Croix, ~~Sheboygan~~ ~~Shawano~~, Vilas, Walworth, Washington, Waupaca and Wood counties, not less than 25% of the cases shall be handled by private counsel and not more than 75% of the cases shall be handled by the office of the state public defender.

SECTION 1836m. 977.08 (5) (e) of the statutes is repealed.

SECTION 1836r. 977.08 (5) (f) (intro.) of the statutes is amended to read:

977.08 (5) (f) (intro.) ~~On or before October 1, 1980, a county covered under par. (b), (c) or (d), by resolution of its county board, may elect to be covered under par. (a) as of January 1, 1981. Prior to January 1, 1981, the~~ Each county specified in subds. 1 to 3 shall establish a sum sufficient appropriation to cover its costs under this paragraph. If the county elects elected under s. 59.077, 1979 stats., to be covered under par. (a), the method of indigency determination under s. 977.07 (1) (b) 3 shall be established by the state public defender board, and the county board's ordinance shall be in accordance with that method. The county is liable for all costs under this chapter for trial representation, including costs under sub. (6) (b), for that county incurred between January 1, 1981, and June 30, 1981 for vouchers submitted by private counsel between July 1, 1981, and June 30, 1983, which exceed the amount specified in this paragraph:

SECTION 1836s. 977.08 (5) (f) 1 to 3 of the statutes are repealed and recreated to read:

- 977.08 (5) (f) 1. Douglas: \$326,200.
2. Monroe: \$143,000.
3. Sheboygan: \$300,800.

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SECTION 1836t. 977.08 (5) (f) 4 to 47 of the statutes are repealed.

SECTION 1837. 977.08 (6) (a) of the statutes is amended to read:

977.08 (6) (a) The percentage requirements under sub. (5) do not apply to ~~appellate or post-conviction cases~~ under s. 809.30 or 974.06.

SECTION 1837g. Laws of 1947, chapter 518, section 3 (new paragraph) is created to read:

(Laws of 1947, chapter 518) Section 3. (new paragraph)	
From the intersection of USH 41 and CTH "Q" in Winnebago county easterly across Little Lake Buttes des Morts bridge through Calumet and Outagamie counties to the intersection with USH 41 between CTH "E" and French road in Outagamie county	Winnebago Calumet Outagamie
	10.5

SECTION 1837m. Laws of 1947, chapter 518, section 3 (approximate mileage) (TOTAL), as last amended by laws of 1977, chapter 418, is amended to read:

(Laws of 1947, chapter 518) Section 3 (approximate mileage).

TOTAL ~~1,010.15~~ 1,020.65

SECTION 1837s. Laws of 1947, chapter 518, section 5, as last amended by laws of 1977, chapter 418, is amended to read:

(Laws of 1947, chapter 518) Section 5. In addition to the mileage specified in SECTION 3 the department of transportation is authorized to add to the state trunk highway system additional mileage to a total of not to exceed 145 miles, making a total addition of not to exceed ~~1,143.98~~ 1,154.48 miles.

SECTION 1841. Laws of 1977, chapter 29, section 1624e, is amended to read:

(Laws of 1977, chapter 29) Section 1624e. **Sunset provisions, certificate of need.** The provisions of subchapter II of chapter 150 of the statutes, as created by this act, shall terminate on June 30, ~~1982~~ 1983, or the general effective date of the 1983-85 biennial budget act, whichever occurs later, unless extended by legislation enacted prior to the termination date.

SECTION 1841m. Laws of 1977, chapter 178, section 17 (1) is amended to read:

(Laws of 1977, chapter 178) Section 17 (1) Section 111.70 (1) (nm), (3) (a) 7 and (b) 6, (4) (cm) and (7m) of the statutes, as created by this act, shall be in effect from the effective date of this act until ~~October 31, 1981~~ July 1, 1987, and after that date are void, except that any proceeding under such provisions pending on ~~October 31, 1981~~ July 1, 1987, shall continue to be subject to such provisions, until finally settled between the parties or adjudicated by arbitration, the employment relations commission or a court of competent jurisdiction.

SECTION 1842. Laws of 1977, chapter 233, section 2 is repealed.

SECTION 1843. Laws of 1977, chapter 418, section 923 (18) (a) is repealed.

SECTION 1844. Laws of 1977, chapter 418, section 923 (18) (dm) is repealed.

SECTION 1846. Laws of 1979, chapter 34, section 2058 (1) (c) is repealed.

SECTION 1847. Laws of 1979, chapter 97, section 2, as affected by chapter 221, laws of 1979, is repealed.

SECTION 1847m. Laws of 1979, chapter 219, section 6 (3) is amended to read:

(Laws of 1979, chapter 219) Section 6 (3) This act expires July 1, 1983, or on the general effective date of the 1983-85 biennial budget act, whichever occurs later, unless extended by action of the state legislature.

SECTION 1848. Laws of 1979, chapter 221, section 2020 (18) is repealed.

~~SECTION 1848r. Laws of 1979, chapter 221, section 2022 (2) is repealed.~~

Vetoed  
in Part

SECTION 1848r. Laws of 1979, chapter 306, section 20 (1m) is created to read:

(Laws of 1979, chapter 306) Section 20 (1m) The treatment of sections 66.057 (1) to (3), 343.14 (3) and (4), 343.19 (1), 343.22 (1) and (2), 343.43 (1) (g) and 343.50 (3) and (4) of the statutes and the creation of sections 343.14 (3) and (4) and 343.22 (2) and (3) of the statutes by this act take effect on January 1, 1983.

SECTION 1849. Laws of 1981, chapter 1, section 38 (2) is amended to read:

(Laws of 1991, chapter 1) Section 38 (2) For purposes of the November 1981 distribution under section sections 79.03 (1) and 79.05 (3) of the statutes "the amount distributed in July of that year under s. 79.02" means the amount of the preliminary distribution computed without any modification under this subsection and subsections (1) and (3).

SECTION 2001. **Nonstatutory provisions; administration.**

(2) **ENERGY DEVELOPMENT AND DEMONSTRATION PROGRAM FUNDING.** The moneys appropriated under section 20.505 (1) (d) of the statutes for fiscal year 1982-83 and \$24,600 of the moneys appropriated under section 20.505 (1) (mb) of the statutes for fiscal year 1982-83 may not be expended until the joint committee on finance, after review of a report by the department of administration on the impact of future federal energy funding on the continued operation of the energy functions of the department and on alternatives to general program revenue funding for the program under section 16.956 of the statutes, releases the moneys. The department shall submit the report to the joint committee on finance on February 1, 1982.

(4) **FUNDING REPORT.** On February 1, 1982, the department of administration shall submit to the joint committee on finance a report on the impact of future federal energy funding on the continued operation of the energy functions of the department and on alternatives to general program revenue funding for the program under section 16.956 of the statutes. The report shall include sources of funding other than general program revenue for providing technical assistance grants for small and medium sized alcohol fuel production and cogeneration facilities.

(5) **REPORT ON PURCHASING POLICIES.** The secretary of administration shall submit a report to the presiding officer of each house of the legislature and to the joint committee on finance no later than February 15, 1982, on the action the secretary has taken or intends to take to encourage, to the maximum extent feasible, greater use of competitive procurements by state agencies, to control the issuance of blanket waivers of bidding requirements under section 16.75 (6) of the statutes, and to enforce the prohibition against engagement of contractual services by state agencies without the prior approval of the department of administration.

(6) **PAYMENT OF WAGES BEFORE SUNDAYS OR HOLIDAYS.** The treatment of section 109.03 (5) of the statutes by this act may be implemented by the department of administration without approval by the joint committee on employment relations under section 16.53 (1) (d) 1 of the statutes.

~~(7) **WEATHERIZATION.** The department shall submit the rules required under section 16.95 (13) (a) of the statutes, as created by this act, in final draft form under section 227.018 (2) of the statutes no later than 180 days after the effective date of this act.~~

Vetoed  
in Part

SECTION 2002. **Nonstatutory provisions; aging and long-term care, board on.**

(1) **INITIAL APPOINTMENTS.** Two of the original appointments to the board on aging and long-term care shall be persons who, on the day before the effective date of this act, were members of the board on aging.



(2) TRANSITION. (a) On the effective date of this act, all records and pending cases of the governor's ombudsman program for the aging and disabled are transferred to the board on aging and long-term care.

(b) On the effective date of this act, all employes, material, supplies and capital equipment of the governor's ombudsman program for the aging and disabled are transferred to the board on aging and long-term care. The head or acting head of the governor's ombudsman program for the aging and disabled is the acting director of the board on aging and long-term care until the board appoints an executive director. The acting director may transfer, remove, promote, demote or reassign employes of the board on aging and long-term care.

(c) Notwithstanding the position complement authorized for the board on aging and long-term care by the funds provided for fiscal year 1981-82 under section 20.432 (1) (a) and (m) of the statutes, as created by this act, the board may employ a program attorney until December 31, 1981, to provide legal services for and advice to benefit specialists employed as a result of contracts for 1981 with area agencies on aging.

(d) On the effective date of this act, all records, material, supplies and capital equipment of the board on aging are transferred to the board on aging and long-term care.

~~SECTION 2003. Nonstatutory provisions; agriculture, trade and consumer protection.~~

~~(1) SOIL AND WATER CONSERVATION; REPORT TO THE LEGISLATURE. The department of agriculture, trade and consumer protection shall report to the presiding officer of each house of the legislature and to the governor on or before March 1, 1983, on the amount of state funding required to satisfactorily implement the soil erosion control plans developed under section 92.10 of the statutes, as created by this act.~~

~~(2) SOIL AND WATER CONSERVATION; INITIAL BOARD MEMBERS. Before July 1, 1982:~~

~~(a) The soil and water conservation districts shall designate 3 soil and water conservation district supervisors who shall serve as initial members of the land conservation board in place of members of county land conservation committees, with terms expiring on May 1, 1985.~~

~~(b) The governor shall nominate 2 public members to serve as initial members of the land conservation board, who shall serve terms expiring on May 1, 1985, and May 1, 1987. The governor shall designate which nominee is to serve what term.~~

~~(c) The U.S. secretary of agriculture, the dean of the college of agricultural and life sciences of the university of Wisconsin - Madison, the secretary of the department of natural resources and the director of the cooperative extension of the university of Wisconsin system may appoint persons to serve as initial advisory members of the land conservation board.~~

~~(3) SOIL AND WATER CONSERVATION; RULES. All rules of the board of soil and water conservation districts in effect on July 1, 1982, shall remain in force until modified or rescinded by the department of agriculture, trade and consumer protection under this act.~~

~~(4) SOIL AND WATER CONSERVATION; TRANSFER OF APPLICATIONS. On July 1, 1982, all applications and other matters pending before the board of soil and water conservation districts are transferred to the department of agriculture, trade and consumer protection.~~

~~(5) SOIL AND WATER CONSERVATION; TRANSFER OF PROPERTY. On July 1, 1982, all records and property of the board of soil and water conservation districts are transferred to the department of agriculture, trade and consumer protection.~~

~~(6) SOIL AND WATER CONSERVATION; DISTRICT PROPERTY AND RECORDS TRANSFERS. All records and property of soil and water conservation districts shall be transferred to the land conservation committee in the same county on July 1, 1982. All contractual rights and responsibilities of the districts shall be transferred to the land conservation committees in the same county on July 1, 1982.~~

~~(7) FARMLAND PRESERVATION; RULES. All rules of the agricultural lands preservation board in effect on July 1, 1983, shall remain in force until modified or rescinded by the land conservation board, as created by this act.~~

Vetoed  
in Part

~~(8) FARMLAND PRESERVATION; TRANSFER OF APPLICATIONS. On July 1, 1983, all plans, ordinances, applications and other matters pending before the agricultural lands preservation board are transferred to the land conservation board, as created by this act.~~

~~(9) FARMLAND PRESERVATION; TRANSFER OF PROPERTY. On July 1, 1983, all records and property of the agricultural lands preservation board are transferred to the land conservation board, as created by this act.~~

**SECTION 2006. Nonstatutory provisions; building commission; authorized state building program.**

(1) For the 1981-83 fiscal biennium, the state building program shall be as follows:

(a)	Department of administration -- state office facilities		
	Projects financed by building trust funds:		
	Minor projects	\$	276,000
	Total building trust funds	\$	276,000
	<del>Projects financed by general fund supported borrowing:</del>		
	<del>Crime lab relocation (department of justice)</del>	\$	2,500,000
	<del>Kennesha state office building</del>	\$	1,800,000
	<del>Total general fund supported borrowing</del>	\$	4,300,000
	Projects financed by existing general fund supported borrowing:		
	Wilson Street office building air conditioning	\$	443,000
	Total existing general fund supported borrowing	\$	443,000
	Projects financed by program revenues:		
	Minor projects	\$	150,000
	Total program revenue	\$	150,000
(b)	Educational communications board		
	Projects financed by building trust funds:		
	TV fringe area translators		
	(total project all funding sources \$240,000)	\$	115,000
	Total building trust funds	\$	115,000
	Projects financed by gifts, grants and other agency receipts:		
	TV fringe area translators		
	(total project all funding sources \$240,000)	\$	125,000
	Total gifts, grants and other agency receipts	\$	125,000
(c)	Department of health and social services		
	Projects financed by building trust funds:		
	Minor projects	\$	1,137,400
	Total building trust funds	\$	1,137,400
	Projects financed by general fund supported borrowing:		
	<del>Northern center laundry remodeling</del>	\$	1,275,000
	<del>Southern center wastewater treatment plant renovation</del>		279,000
	<del>Waupun primary electrical system renovation</del>		750,000
	<del>Waupun health services remodeling</del>		1,170,000
	<del>Ethan Allen health services remodeling</del>		323,000
	<del>Kettle Moraine increase perimeter security</del>		2,632,700
	<del>Fox Lake segregation unit expansion</del>		230,000
	<del>Fox Lake outdoor lighting</del>		486,000
	<del>Green Bay video monitoring improvements</del>		306,800
	<del>Ethan Allen electrical system voltage increase</del>		1,057,000
	Correctional institution under section 46.05 (1n) of the statutes		2,700,000
	Hughes hall conversion		5,000,000
	Correctional institution under section 46.05 (1m) of the statutes		28,000,000
	Total general fund supported borrowing	\$	44,932,700
	Projects financed by existing general fund supported borrowing:		
	Correctional facilities expansion	\$	316,000
	Winnebago institute gym replacement		540,000
	Total existing general fund supported borrowing	\$	856,000
(d)	Historical society		
	Projects financed by building trust funds:		
	Minor projects	\$	318,000
	Total building trust funds	\$	318,000

Vetoed  
in Part

Vetoed  
in Part

Vetoed  
in Part

CHAPTER 20

<b>Vetoed in Part</b>	<del>Projects financed by general fund supported borrowing:</del>	
	<del>Museum exhibit construction</del>	<del>\$ 988,000</del>
	<del>Total general fund supported borrowing</del>	<del>\$ 988,000</del>
	(e) Department of military affairs	
	Projects financed by building trust funds:	
	Minor projects	\$ 643,600
	Total building trust funds	\$ 643,600
	Projects financed by existing building trust funds:	
	Direct support logistical system facility (total project all funding sources \$307,800)	\$ 39,400
	Total existing building trust funds	\$ 39,400
<b>Vetoed in Part</b>	<del>Projects financed by general fund supported borrowing:</del>	
	<del>Armory replacement (total project all funding sources \$1,980,000)</del>	<del>\$ 488,000</del>
	<del>Total general fund supported borrowing</del>	<del>\$ 488,000</del>
	Projects financed by gifts, grants and other agency receipts:	
	Armory replacement (total project all funding sources \$1,900,000)	\$ 1,412,000
	Direct support logistical system facility (total project all funding sources \$307,800)	268,400
	Minor projects	586,600
	Total gifts, grants and other agency receipts	\$ 2,267,000
(f) Department of natural resources		
	Projects financed by building trust funds:	
	Minor projects	\$ 46,000
	Total building trust funds	\$ 46,000
	Projects financed by outdoor resources action program (ORAP) formula funds:	
	Minor projects	\$ 124,300
	Total ORAP formula funds	\$ 124,300
<b>Vetoed in Part</b>	<del>Projects financed by general fund supported borrowing:</del>	
	<del>Wisconsin Rapids area headquarters (total project all funding sources \$550,000)</del>	<del>\$ 220,000</del>
	<del>Spencer district headquarters (total project all funding sources \$625,000)</del>	<del>187,500</del>
	<del>Total general fund supported borrowing</del>	<del>\$ 407,500</del>
	Projects financed by outdoor resources action program (ORAP) supported borrowing:	
	Kinnickinnic park development (total project all funding sources \$925,000)	\$ 462,500
	Minor projects	1,365,500
	Total ORAP supported borrowing	\$ 1,828,000
	Projects financed by segregated fund supported borrowing:	
	Rhesant propagation facility	\$ 1,006,300
	Wisconsin Rapids area headquarters (total project all funding sources \$550,000)	330,000
	Spencer district headquarters (total project all funding sources \$625,000)	437,500
	Total segregated funds supported borrowing	\$ 1,773,800
	Projects financed by segregated funds:	
	Griffith nursery stock building	\$ 450,000
Minor projects	1,668,800	
Total segregated funds	\$ 2,118,800	
Projects financed by gifts, grants and other agency receipts:		
Kinnickinnic park development (total project all funding sources \$925,000)	\$ 462,500	
Minor projects	710,800	
Total gifts, grants and other agency receipts	\$ 1,173,300	
(g) Department of transportation		
Projects financed by segregated fund supported borrowing:		
Trux sign shop purchase	\$ 2,430,000	
Trux material lab and driver testing station purchase	1,457,800	
District 1 office building	2,450,500	
State patrol training academy	3,779,000	
Rhineland district office purchase	658,000	
Total segregated fund supported borrowing	\$ 10,675,300	
Projects financed by segregated funds:		
Minor projects	\$ 50,400	
Total segregated funds	\$ 50,400	

(h)	Department of veterans affairs		
	Projects financed by building trust funds:		
	Minor projects	\$	110,400
	Total building trust funds	\$	110,400
(i)	University of Wisconsin system		
	Projects financed by building trust funds:		
	System minor projects	\$	2,783,700
	Total building trust funds	\$	2,783,700
	Projects financed by general fund supported borrowing:		
	Eau Claire -- Physical education center addition	\$	4,697,000
	Nursing building addition		1,653,000
	LaCrosse -- Outdoor physical education/recreation development and Mitchell hall addition		2,520,000
	Madison -- Hixge hall remodeling phase 2		1,150,800
	King hall remodeling		2,200,000
	1410 Johnson Drive remodeling		2,000,000
	Biochemistry building addition		6,740,000
	Pharmacy building remodeling		1,193,000
	Goodnight hall remodeling		1,382,000
	Home Economics building remodeling		1,010,000
	Hydraulics building remodeling		1,236,000
	Swine teaching and research facility		1,500,000
	Electrical distribution system		600,000
	Chilled water line extension		800,000
	Ed hall air refrigeration system		408,000
	Nielsen stadium roof replacement (total project all funding sources \$542,000)		358,200
	Milwaukee -- Downer buildings remodeling phase 3		5,566,000
	Enderis hall remodeling		2,566,000
	Oshkosh -- Albee hall remodeling and addition		1,680,000
	Platteville -- Dairy housing/arena facility		1,561,000
	River Falls -- Physical education facilities remodeling and expansion		3,317,000
	Stevens Point -- Learning resources center remodeling and addition		7,996,000
	Physical education building remodeling and addition		3,724,000
	Stout -- Vocational rehabilitation remodeling		2,060,000
	Physical education building remodeling and addition		4,211,000
	Superior -- Erlanson hall remodeling		809,000
	Whitewater -- Planetarium facility		494,000
	Total general fund supported borrowing	\$	51,809,280
	Projects financed by program revenue supported borrowing:		
	LaCrosse -- Cartwright center remodeling (total project all funding sources \$5,275,000)	\$	2,000,000
	Stout -- Student center remodeling and addition (total project all funding sources \$2,600,000)		1,580,000
	Total program revenue supported borrowing	\$	3,500,000
	Projects funded by program revenues:		
	Eau Claire -- Davies center remodeling and addition	\$	1,411,800
	LaCrosse -- Cartwright center remodeling (total project all funding sources \$5,275,000)		3,275,000
	Madison -- Camp Randall sports center floor resurfacing		425,000
	Nielsen stadium roof replacement (total project all funding sources \$502,000)		184,500
	Starks farm storage facility		272,000
	Stout -- Student center remodeling and addition (total project all funding sources \$2,600,000)		1,100,000
	Total program revenues	\$	6,668,300
	Projects financed by gifts, grants or other agency receipts:		
	Milwaukee -- Solar demonstration facility	\$	2,000,000
	Total gifts, grants and other agency receipts	\$	2,000,000
(j)	Funding available to all agencies		
	Projects financed by building trust funds:		
	Minimum maintenance and health and safety (total program all funding sources \$19,308,200)	\$	5,655,200
	Advance planning		1,840,000
	Total building trust funds	\$	7,495,200
	Projects financed by general fund supported borrowing:		
	Minimum maintenance and health and safety (total program all funding sources \$19,308,200)	\$	13,653,000

VETOED

Vetoed  
in Part

Vetoed  
in Part

Vetoed  
in Part

CHAPTER 20

	Energy conservation	15,000,000
<b>Vetoed</b>	Air quality compliance	21,500,000
<b>in Part</b>	Telephone system acquisition	2,000,000
	Handicapped access improvements	1,000,000
	Advanced land acquisition	1,000,000
	Total general fund supported borrowing	\$ 50,153,000
(k)	Summary	
	Total building trust funds:	\$ 12,925,300
<b>Vetoed</b>	Total existing building trust funds:	39,400
<b>in Part</b>	Total general fund supported borrowing:	167,178,400
	Total outdoor resources action program supported borrowing:	1,838,000
	Total existing general fund supported borrowing:	1,250,800
	Total segregated fund supported borrowing:	12,400,300
	Total program revenue supported borrowing:	3,500,000
	Total outdoor resources action programs funds:	124,300
	Total segregated funds:	2,163,208
	Total program revenue funds:	6,018,300
	Total gifts, grants and other agency receipts:	6,565,300
	Total funding, all sources	\$213,028,500

(2) In addition to the projects and financing authority enumerated under subsection (1), the building and financing authority enumerated in the authorized building program for previous biennia are continued in the 1981-83 biennium.

(3) The state building commission may establish and modify project priorities for the minor project allocations under subsection (1) and may revise the amount of building trust funds allocated among agencies within the total funding provided for minor projects.

(4) The funding enumerated in subsection (1) (a) for relocation of the southwest regional crime lab may be used for the remodeling of the existing facility occupying the site to be purchased or a new facility may be constructed at that site. The site shall be acquired from 1979-81 advanced land acquisition funding authority.

**Vetoed** (5) Of the funding enumerated in subsection (1) (a) for the purchase and remodeling **in Part** of the Kenosha state office building, up to \$800,000 may be used for the purchase of the Kenosha police building from the city of Kenosha. As part of this purchase, the state building commission shall convey the Reed Act building to the city of Kenosha.

(6) Approval by the state building commission for construction of the television translator enumerated in subsection (1) (b) is contingent upon at least one-half of the total project cost being funded from gift or grant funds.

**Vetoed** (8) (a) The financing authority enumerated under subsection (1) (j) for minimum **in Part** maintenance and health and safety, advance planning, energy conservation, air quality compliance, telephone system acquisition, handicapped access improvements and advanced land acquisition may be allocated by the state building commission to any state agency for the purposes specified as determined by the state building commission and shall constitute enumeration for such projects exceeding \$250,000 in cost.

(b) Energy conservation funds under subsection (1) (j) shall be directed, to the extent possible, to projects in state agencies which were not extensively funded for these purposes in previous biennia.

(c) Energy conservation funds under subsection (1) (j) may be authorized for those projects which meet the energy saving standards to be established by the state building commission.

**Vetoed** (d) Air quality compliance funds under subsection (1) (j) may be allocated by the **in Part** state building commission for those projects needed to meet more stringent air quality standards which may be imposed on state power plants.

(9) The state building commission may issue loans to state agencies or facilities not funded from general purpose revenues, for projects authorized under subsection (1) (j), subject to the approval of the lending procedures by the joint committee on finance.

(10) The following changes are made to the modifications of the authorized state building program for 1979-81 under chapter 221, laws of 1979, section 2006 and the appropriate totals in that section are adjusted accordingly:

(a) In section 2006 (2) (a), the financing authority for the Green Bay district office facilities construction or acquisition is decreased from \$7,000,000 to \$6,250,000.

(b) In section 2006 (2) (ff), the following authorization is added:

Projects financed by segregated fund  
supported borrowing:  
Lake Michigan district headquarters  
(total project all funding sources \$750,000)                      \$ 285,000

(c) In section 2006 (2) (ff), the segregated fund supported borrowing authorization for the Milwaukee/Waukesha district office facilities construction or acquisition is increased from \$908,000 to \$1,175,000 and the total project all funding sources is increased from \$10,700,000 to \$11,508,000.

(d) In section 2006 (2) (fg), the following authorization is added:

Projects financed by general fund  
supported borrowing:  
Lake Michigan district headquarters  
(total project all funding sources \$750,000)                      \$ 465,000

(e) In section 2006 (2) (fg), the general fund supported borrowing authorization for the Milwaukee/Waukesha district office facilities construction or acquisition is increased from \$1,843,800 to \$2,384,800 and the total project all funding sources is increased from \$10,700,000 to \$11,508,000.

(11) In chapter 34, laws of 1979, section 2006m (1) (i), the following changes are made to the authorizations for the King medical treatment center and the appropriate totals in that paragraph are adjusted accordingly:

(a) The general fund supported borrowing authorization is increased from \$1,321,000 to \$1,703,600.

(b) The total gifts, grants, or other agency receipts is increased from \$4,407,800 to \$6,845,900.

(c) The total project all funding sources is increased from \$5,728,800 to \$8,549,500.

(12) The authorization changes under subsection (11) are contingent on the receipt of federal grant funds for the King medical treatment center project.

~~(13) The total general fund supported borrowing authorized under subsection (1) (i) for the university of Wisconsin system is reduced by \$3,550,000 from the totals specified under subsection (1) (i). The building commission may authorize any project specified under subsection (1) (i) but may not authorize any combination of general fund supported borrowing projects authorized under subsection (1) (i) which exceed the total general fund supported borrowing authorized under subsection (1) (i) less \$3,550,000.~~

~~(14) The total general fund supported borrowing authorized under subsection (1) (j) for all agency projects is reduced by \$ 1,625,000 from the totals specified under subsection (1) (j). The building commission may authorize any project specified under subsection (1) (j) but may not authorize any combination of general fund supported borrowing projects authorized under subsection (1) (j) which exceed the total general fund supported borrowing authorized under subsection (1) (j) less \$1,625,000.~~

~~(15) The total general fund supported borrowing authorized under subsection (1) (a) and (c) to (f) for the department of administration, department of health and social services, historical society, department of military affairs and the department of natural resources is reduced by \$950,000 from the totals specified under subsection (1) (a) and (c) to (f). The building commission may authorize any project specified under subsection (1) (a) and (c) to (f) but may not authorize any combination of general fund supported borrowing projects authorized under subsection (1) (a) and (c) to (f) which exceed the total general fund supported borrowing authorized under subsection (1) (a) and (c) to (f) less \$950,000.~~

**SECTION 2010. Nonstatutory provisions; development.**

(1) **APPROPRIATION AUTHORIZATION AND PROGRAM RESPONSIBILITIES CHANGES.** From the appropriation under section 20.143 (3) (b) of the statutes for the 1981-83 biennium, \$105,000 shall be expended on housing production and substantial rehabilitation projects and \$210,000 shall be expended on neighborhood revitalization and housing services projects.

(2) **MINORITY BUSINESS DEVELOPMENT.** The general purpose revenue funding and positions authorized for fiscal year 1982-83 for the bureau of minority business services in the department of development may be used only with the approval of the joint committee on finance. The department shall report to the joint committee on finance by June 1, 1982, on the status of the department's minority business development program. The report shall include a summary of the program's accomplishments, a listing of the activities to be conducted under a program funded by general purpose revenues and an analysis of the desirability of relocating the offices of the bureau from Madison to Milwaukee.

**SECTION 2011. Nonstatutory provisions; educational communications board.**

**Vetoed  
in Part** (1) **PUBLIC BROADCASTING STUDIES.** (a) The educational communications board and the board of regents of the university of Wisconsin system shall each prepare inventories of and replacement schedules for all broadcasting and media production equipment under their control. Each agency shall also prepare operating plans which indicate the purposes for which equipment is needed and coordination between the 2 agencies. Each agency shall report its inventory, replacement schedule and operating plans to the governor and the legislature by ~~December 1, 1981~~. The board of regents shall indicate in its report what it views as its role in furthering statewide public broadcasting in support of the educational communications board and the relationship of this role to its local activities.

(b) The board of vocational, technical and adult education shall review, and submit a report to the governor and the legislature by December 1, 1981, on the broadcasting activities of vocational, technical and adult education districts and the relationship of those activities to district educational goals. The report shall include each vocational, technical and adult education district's income and expenditures for programming, signal delivery and related administrative functions during the 1980-81 school year.

(c) The educational communications board, the board of regents of the university of Wisconsin system and the department of administration shall jointly review state policy concerning telecommunications, media programming, agency missions in the telecommunications field, coordination between agencies utilizing telecommunications in the areas of equipment purchases and operations, and future state needs in the area of telecommunications. The results of the review shall be reported to the governor and the legislature by December 1, 1981. Every state agency shall provide whatever assistance is required for the conduct of the study.

**SECTION 2013. Nonstatutory provisions; employe trust funds.**

(1) **LIMITED TERM EMPLOYMENT; BENEFITS.** Any person who between January 1, 1983 and July 1, 1983, has completed at least 3 years of limited term employment described in section 41.02 (6) (b) 2 of the statutes, and who between January 1, 1983 and July 1, 1983, commenced his or her 4th or more year during which it is expected that he or she will perform such limited term employment, is an employe under section 41.02 (6) (b) 2 of the statutes as of July 1, 1983.

**SECTION 2014. Nonstatutory provisions; employment relations commission.**

(1) **CASE LOAD AND FEE STUDY.** The employment relations commission shall submit with its budgetary request for the 1983-85 biennium under section 16.42 of the statutes a report which analyzes the effects of the fees imposed under sections 111.09 (2), 111.71 (2) and 111.94 (2) of the statutes, as created by this act, on the commission's case load. The report shall contain recommendations regarding the feasibility of imposing fees for other services provided by the commission.

~~(2) MAINTENANCE OF MILWAUKEE OFFICE. During the 1981-83 fiscal biennium, the employment relations commission shall maintain a functioning office in the city of Milwaukee staffed with at least 2 full-time equivalent professional positions.~~

Vetoed  
in Part

**SECTION 2020. Nonstatutory provisions; health and social services.**

(2) MORATORIUM ON CERTIFICATES OF NEED. Any certificate of need application not declared complete by the department of health and social services on or before May 1, 1981, shall be returned to the applicant with no further action. Any fee accompanying the certificate of need application shall also be returned to the applicant.

(4) EXPENDITURE OF FEDERAL CHILD WELFARE FUNDS. In addition to the limitations and requirements of section 48.998 of the statutes, as created by this act, expenditure by the department of health and social services of funds received under 42 USC 620 to 626 is limited as follows:

(a) For the children's home under section 48.58 of the statutes, up to \$200,000 in fiscal year 1981-82 and up to \$100,000 in fiscal year 1982-83;

~~(ag) For the start up of day care programs, \$75,000 in fiscal year 1981-82 and \$75,000 in fiscal year 1982-83;~~

Vetoed  
in Part

~~(ar) For runaway services, \$200,000 in fiscal year 1981-82 and \$200,000 in fiscal year 1982-83.~~

(b) For the subunit of the department responsible for reviewing the program needs of children held in a secured correctional facility, up to \$295,400 in fiscal year 1981-82 and up to \$314,200 in fiscal year 1982-83;

(c) For monitoring foster home placements, up to \$140,000 in fiscal year 1981-82 and up to \$51,000 in fiscal year 1982-83;

(d) For child welfare projects or services provided or purchased by county social services departments, up to \$1,888,400 in fiscal year 1981-82 and up to \$2,058,600 in fiscal year 1982-83, to be distributed under section 46.031 of the statutes, subject only to local, state and federal requirements as to the types of projects or services; and

(e) For the purposes of paragraph (d) or section 46.26 of the statutes, any balance of the funds in fiscal years 1981-82 and 1982-83.

(5) REPORT ON HOSPITAL EDUCATION AND RESEARCH COSTS. The department of health and social services shall submit for approval to the joint committee on finance prior to January 1, 1982, a proposed method to determine hospital education and research costs that are indirectly related to patient care and the fiscal impact of excluding these costs from medical assistance reimbursement.

(6) SUPPLY OF PHYSICIANS STUDY. (a) The department of health and social services, in consultation with the health policy council, the medical education review committee, the university of Wisconsin medical school, the medical college of Wisconsin, and other health care professionals, providers and consumers, shall study the projected need for physicians in this state, by type and specialty, by the year 2000 and the level of enrollments at the university of Wisconsin medical school and the medical school of Wisconsin which will be required to meet the projected need. All state agencies and educational institutions shall assist the department by providing access to, collecting and analyzing health care and manpower data.

(b) In conducting the study under paragraph (a), the department of health and social services shall consider any previous reports or studies relating to the supply of and requirements for physicians in this state. In arriving at its conclusions, the department shall consider data on the number of medical students, residents and practicing physicians by specialty, the migration of physicians into and out of this state, the immigration of foreign-trained medical school graduates, the numbers of nonphysician health care personnel, the types of physician practices, physician productivity and medical care delivery systems, statewide population and demographic patterns and the incidence of disease and



physician demand. The department shall also consider the effect of its findings on physician supply and distribution.

(c) The department of health and social services shall complete the study under this subsection and present its findings and policy recommendations to the governor, the joint committee on finance and other appropriate standing committees of the legislature by October 1, 1982.

(7) ALTERNATIVES REGARDING PRISON POPULATION PROBLEMS. The secretary of health and social services is directed to consider the following alternatives regarding alleviation of the prison population problems in effect on the effective date of this act:

(a) The use of purchase of service or other agreements with counties for the temporary placement of state prisoners.

(b) Negotiation with the federal government for the use of federal institutions within Wisconsin for the temporary placement of state prisoners.

(9) REPORT ON THE LONG-TERM SUPPORT COMMUNITY OPTIONS PROGRAM. On or before January 1, 1983, the department of health and social services shall submit to the governor and to the presiding officer of each house of the legislature an evaluation of the long-term support community options program under section 46.27 of the statutes.

(10) ADDITIONAL BEDS FOR COMMUNITY CORRECTIONAL RESIDENTIAL CENTERS. The department of health and social services shall conduct a study and devise a plan for the funding of 100 additional beds for community correctional residential centers. The department shall submit the plan to the joint committee on finance, the senate committee on human services and the assembly committee on criminal justice and public safety not later than January 1, 1982.

(11) TREATMENT AND REHABILITATION OF YOUTH. On the effective date of this subsection, the number of project positions funded from the appropriation under section 20.435 (2) (gk) of the statutes, as affected by this act, providing treatment and rehabilitation of youth at the Mendota mental health institute, remains the same as the number of project positions on the day preceding the effective date of this subsection, to reflect the fact that this act does not end the treatment and rehabilitation of youth program at the Mendota mental health institute.

~~(12) REPORT ON NURSING POOL SERVICES. On or before the first day of the 2nd month following the effective date of this act, each hospital required to report on its use of nursing pool services under section 49.45 (3) (L) of the statutes, as created by this act, shall provide the information specified in that section on nursing pool services used in 1980.~~

Vetoed  
in Part

(13) STATE SUPPLEMENTAL PAYMENTS. The department of health and social services shall provide a lump sum payment to persons receiving state supplemental payments under section 49.177 of the statutes, as affected by this act, equal to the 11.2% federal increase in supplemental security income for the period beginning on July 1, 1981 and ending on the last day of the 3rd month commencing after the effective date of this act. The department shall pass the 11.2% federal increase in supplemental security income for the remaining months of fiscal year 1981-82 directly to persons eligible for payments under section 49.177 of the statutes, as affected by this act, without reducing those payments.

(14) POSITION AUTHORIZATION. The authorized FTE positions for the department of health and social services are increased by 2.0 PRO positions on the effective date of this subsection for the purpose of implementing the responsibilities assigned to the department relating to assessment and treatment of motor vehicle operators who are under the influence of an intoxicant or a controlled substance.

~~(15) WISCONSIN SLEIGHHOUSE FUNDING. From the appropriation under section 20.435 (2) (o) of the statutes, as affected by this act, the department of health and social services shall provide \$145,000 in fiscal year 1981-82 and \$146,000 in fiscal year 1982-83~~

Vetoed  
in Part

~~to the Wisconsin clearinghouse for mental health and alcohol and other drug abuse programs of the clearinghouse.~~

Vetoed  
in Part

~~(16) WISCONSIN ALCOHOLISM AND DRUG COUNSELOR CERTIFICATION BOARD. From the appropriation under section 20.435 (2) (c) of the statutes, as affected by this act, the department of health and social services shall provide \$98,000 in fiscal year 1981-82 and \$106,000 in fiscal year 1982-83 to the Wisconsin alcoholism and drug counselor certification board, inc., for mental health and alcohol and other drug abuse programs of the board.~~

Vetoed  
in Part

(17) PRISON ALTERNATIVES. The secretary of health and social services may do the following regarding alleviation of the prison population problems in effect on the effective date of this act:

(a) Contract with counties for the temporary placement of state prisoners.

(b) Consider negotiation with the federal government for the use of federal institutions within Wisconsin for the temporary placement of state prisoners.

(18) WISCONSIN RESOURCE CENTER. The department of health and social services shall conduct a study and devise a plan for the use of the Wisconsin resource center. The department shall submit the plan to the joint committee on finance, the senate committee on human services and the assembly committee on criminal justice and public safety not later than February 1, 1982.

~~(19) CONTRACTING WITH COMMERCIAL OUTLETS FOR VOCATIONAL REHABILITATION CRAFT PRODUCTS. For the months of July, August and September, 1981, the department of health and social services shall apportion \$7,700 from the appropriation under section 20.435 (5) (bm) of the statutes, as affected by this act, and shall apportion \$30,400 from the appropriation under section 20.435 (5) (n) of the statutes, as affected by this act, to contract with commercial outlets for the division of vocational rehabilitation's craft products.~~

Vetoed  
in Part

#### SECTION 2022. Nonstatutory provisions; higher educational aids board.

(1) HEALTH EDUCATION ASSISTANCE LOANS. After paying or providing for the payment of all obligations pledged to be paid with federal special allowance revenues for revenue obligations issued under subchapter II of chapter 18 of the statutes, the higher educational aids board shall allocate \$3,263,000 from the remainder of the federal special allowance revenues in excess of budgeted administrative program expenditures for revenue bond financing for health education assistance loans in the 1981-83 biennium if deemed necessary by the building commission.

(2) HIGHER EDUCATION GRANTS. Of the amounts appropriated under section 20.235 (1) (fe) of the statutes, as affected by the laws of 1981, biennially, \$4,956,300 may be released only by the joint committee on finance acting on or before February 1, 1982, for grants awarded in the 1981-82 academic year and on or before February 1, 1983, for grants awarded in the 1982-83 academic year, pending review of a report submitted to the committee by the higher educational aids board on the estimated federal special allowance revenues to be received in excess of the amounts identified under sub. (1) which would be available for higher education grant support.

#### SECTION 2023. Nonstatutory provisions; historical society.

~~(1) CLOSING OF STONERFIELD VILLAGE. The historical society shall close the Stonerfield Village historic site on or before January 1, 1982.~~

Vetoed  
in Part

(2) HISTORIC SITES STUDY. The historical society shall study the fiscal and program effects of implementing, at historic sites, pricing and management policies designed to stimulate admission and program revenues and to reduce expenditures. The historical society shall report the results of its study to the joint committee on finance by January 1, 1982.

#### SECTION 2025. Nonstatutory provisions; industry, labor and human relations.

(2) **SEWAGE SYSTEM NUISANCE CONTROL.** (a) To the extent practicable, the property and records pertaining to nuisance abatement approvals under section 146.14 (2) of the statutes are transferred from the department of health and social services to the department of industry, labor and human relations. Those positions in the department of health and social services relating primarily to nuisance abatement approvals under section 146.14 (2) of the statutes which the secretary of health and social services and the secretary of industry, labor and human relations agree to transfer to the department of industry, labor and human relations may be so transferred by the secretaries upon notification to the secretary of administration. Persons transferred to the department of industry, labor and human relations under this subsection retain the rights and privileges enjoyed immediately prior to their transfer in the department of health and social services. The secretary of industry, labor and human relations and the secretary of health and social services shall meet as soon as practicable after the effective date of this act and agree on the transfer of the personnel, property and records.

(b) Approvals issued by the department of health and social services and valid prior to the effective date of this act remain valid for the length of time originally specified, and shall be treated as approvals issued by the department of industry, labor and human relations under section 146.14 (2) of the statutes.

(c) All applications for approvals under section 146.14 (2) of the statutes pending before the department of health and social services on the effective date of this act are assumed by the department of industry, labor and human relations.

(3) **FIRE DUES APPROPRIATION.** For the purpose of section 20.445 (1) (L) and (La) of the statutes, as created by this act, all moneys received and not expended under section 20.835 (4) (b), 1979 stats., before the effective date of this act under section 601.93, 1979 stats., are moneys received under sections 101.58 (1) and 601.93 of the statutes as affected by this act.

(4) **TRANSFER OF WORKER'S COMPENSATION RECORDS.** On the effective date of this act, the department of industry, labor and human relations shall transfer all books and records of the department relating to the state employer's responsibilities under the chapter 102 of the statutes to the department of administration.

(5) **HOUSING DISCRIMINATION TESTING CONTRACT.** The department of industry, labor and human relations shall enter into a contract with one or more community agencies located in the following counties, for the purpose of testing for housing discrimination: Milwaukee, Waukesha, Washington and Ozaukee. No testing under such a contract entered into with any community agency located in any of those counties may be performed in any other county.

(6) **PROGRAM AUDIT; YOUTH INITIATIVES PROGRAM.** The legislative audit bureau shall perform a program audit of that portion of the youth initiatives program administered by the governor's employment and training office with funds appropriated under section 20.445 (5) (a) of the statutes. On or before February 1, 1983, the legislative audit bureau shall report to the presiding officer of each house of the legislature the results of its audit.

#### **SECTION 2026. Nonstatutory provisions; insurance.**

(1) **SURPLUS LINES INSURANCE FEE.** The commissioner of insurance may assess the fee created under section 601.31 (1) (t) of the statutes on all nondomestic insurers listed under section 618.41 (6) (d) of the statutes as of the effective date of this act.

(2) **HEALTH INSURANCE RISK SHARING PLAN.** Moneys appropriated and not expended on the effective date of this subsection under section 20.145 (7) (g), 1979 stats., are transferred to the appropriations under section 20.145 (7) (v) of the statutes, as affected by this act. Claims incurred under subchapter II of chapter 619, 1979 stats., but not paid prior to the effective date of this act may be made from the appropriation under section 20.145 (7) (v) of the statutes as affected by this act.

(3) **FIRE DUES STUDY.** The office of the commissioner of insurance shall conduct a study in consultation with the department of industry, labor and human relations, to establish a formalized procedure for receiving and verifying the 2% amount collected for the fire dues program under s. 601.93. This study shall be completed by January 1, 1982, and a summary report of findings and conclusions shall be submitted by the office to the department of administration.

~~SECTION 2032. Nonstatutory provisions; justice.~~  
~~(1) **PUBLIC INTERVENOR.** From its appropriation under section 20.455 (1) (a) of the statutes, during fiscal years 1981-82 and 1982-83 the department of justice shall operate the public intervenor program with 2.0 GPR attorney positions and with payments of not less than \$30,000 in each fiscal year for expert consultants and other court costs.~~

Vetoed  
in Part

**SECTION 2033. Nonstatutory provisions; legislature.**

(1) **LEGISLATIVE REFERENCE BUREAU PROJECT POSITIONS.** Any release of the \$14,600 provided under section 20.765 (3) (b) of the statutes in 1981-82 for two 0.5 GPR project positions in the legislative reference bureau authorized in budget determinations under this act is subject to the prior approval of the joint committee on legislative organization.

(2) **LEGISLATIVE COUNCIL STUDY ON MEDICAL ASSISTANCE.** (a) The legislative council shall study the medical assistance program and recommend alternatives to reduce the state's long-range financial commitment to the program. The study shall include:

1. Cost containment measures at the Wisconsin veterans home at King and at the state centers for the developmentally disabled;
2. Modifications in the coverage of optional and mandated services;
3. Expansion of the role of nongovernmental health insurers; and
4. Mechanisms for providing a more cost-effective, market oriented health care delivery system, such as publishing price information, placing a maximum on the dollars available through health insurance and providing consumers with information pertinent to making informed decisions regarding their health care.

(b) The legislative council shall report its findings and recommendations to the governor, the joint committee on finance and appropriate standing committees of the legislature as determined by the presiding officer of each house no later than January 1, 1983.

(3) **INITIAL FUND AUDITS.** The legislative audit bureau shall perform initial financial audits of the state life insurance fund, the local government property insurance fund and the patients compensation fund under section 13.94 (1) (de) of the statutes, as created by this act, during the 1981-83 biennium.

(4) **LEGISLATIVE COUNCIL STUDY ON IMPRISONMENT.** The legislative council shall conduct a study of alternatives to imprisonment for persons convicted of crimes, prison programs and the security classification system. The study shall include examination of industrial good time and the Rock county felony sentencing model. The legislative council shall report its findings and recommendations to the joint committee on finance, the senate committee on human services and the assembly committee on criminal justice and public safety not later than January 1, 1982.

(5) **ENERGY ASSISTANCE.** The chairpersons of the joint committee on finance shall appoint a subcommittee of the joint committee on finance to review options available for the use of federal energy assistance program funds. The department of health and social services shall submit its plan for use of these funds to the subcommittee for review and comment by October 1, 1981 or the first day of the month following the effective date of this act, whichever comes later. The subcommittee shall complete its review and recommend use of the funds to the joint committee on finance and to the governor on or before November 1, 1981 or the first day of the 2nd month following the effective date of this act, whichever comes later.

**SECTION 2036. Nonstatutory provisions; military affairs.**

(1) **FUEL CONSERVATION PROJECT FUNDING.** From the appropriation under section 20.465 (1) (b) of the statutes, \$50,800 in fiscal year 1981-82 and \$47,400 in fiscal year 1982-83 shall be expended on preventive maintenance on heating plant and boiler equipment.

**SECTION 2038. Nonstatutory provisions; natural resources.**

(1) **SNOWMOBILE FUNDING.** The unencumbered balance in the conservation fund on June 30, 1981, which is attributable to snowmobile registration fees collected under section 350.12, 1979 stats., shall be allocated in the proportions provided under section 350.12 of the statutes, as affected by this act.

(2) **SURFACE WATER SURVEY STUDY.** The department of natural resources and the department of administration shall conduct a study of the need for a surface water survey appropriation from general purpose revenues to investigate surface water quantity and quality. The department of natural resources shall report to the legislature on or before July 1, 1982, with a recommendation on the establishment of statutory provisions for an appropriation and the amount of general purpose revenues to be transferred from existing programs' budgeted appropriations beginning in the 1983-85 biennium.

(4) **GROUNDWATER HEAT PUMP PROJECT.** (a) *Approval.* Until July 1, 1984, the department of natural resources may approve the installation and operation of not more than 60 groundwater heat pump systems which inject circulated water into the groundwater of the state notwithstanding the requirements of sections 1.11 and 144.025 and chapters 147 and 162 of the statutes if:

1. The groundwater heat pump system has an alternative means of disposing of the circulated water;

2. The groundwater heat pump system serves a building not larger than 30,000 cubic feet; and

3. No more than 3 groundwater heat pump systems are approved in any county.

4. Any injection well used to inject circulated water into the groundwater of the state is constructed by a well driller registered under chapter 162 of the statutes.

(b) *Monitoring.* The department of natural resources shall monitor groundwater heat pumps approved under this project. The department may rescind its approval of the operation of a groundwater heat pump system if it determines that the injection of circulated water into the groundwater is harmful to the waters of the state. If approval is rescinded, the groundwater heat pump system may not inject circulated water into the groundwater of the state.

(c) *Design; implementation; exemption from rule-making requirements.* The department of natural resources, with the cooperation of the Wisconsin geological and natural history survey and the department of administration, shall design and implement this project. Notwithstanding the requirements of chapter 227 of the statutes, the department of natural resources is not required to promulgate rules to design, implement, administer or enforce this project.

(d) *Study; reports.* The department of natural resources shall conduct a study to assess the environmental impact of the utilization of groundwater heat pump systems. The department of natural resources shall report its interim findings to the legislature on or before July 1, 1982, and July 1, 1983, and shall file its final report and recommendations on or before July 1, 1984.

(6) **SNOWMOBILE RECREATION REPORT.** The department of natural resources and the snowmobile recreation council jointly shall study the needs of the snowmobile recreation program regarding the level of state and county enforcement activity necessary to adequately enforce laws concerning snowmobiling and to provide for public safety. In addition, the department and the council jointly shall study the appropriate size and extent of

the current and planned county and state snowmobile trail systems considering declining snowmobile registrations and declining revenue available to the program. The department and the council shall submit the results of their studies and any recommendations for program modification to the governor and to the legislature at the time the department submits its 1983-85 biennial budget request under section 16.42 of the statutes.

(7) **MOTOR VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM.** The moneys appropriated under section 20.370 (2) (dq) of the statutes, as created by this act, for fiscal year 1982-83 may not be expended until the department of natural resources submits a report to the joint committee on finance on the funding and staffing requirements for the motor vehicle emission inspection and maintenance program under section 144.42 of the statutes based on its scope and starting date and the committee approves this expenditure.

**SECTION 2040. Nonstatutory provisions; personnel commission.**

(1) Of the 3.0 project positions funded under section 20.547 (1) (a) which are converted to permanent status under the provisions of this act, 1.0 position shall be a hearing examiner, 1.0 position shall be a program assistant position, and 1.0 position shall be an equal rights officer.

**SECTION 2041. Nonstatutory provisions; public defender board.**

(1) **REPRESENTATION WITHOUT COMPENSATION.** The public defender board shall seek agreements under section 977.02 (7m) of the statutes, as created by this act. The board shall report on the status of these agreements to the joint committee on finance, assembly judiciary committee and senate judiciary committee not later than January 1, 1982.

**SECTION 2042. Nonstatutory provisions; public instruction.**

(2) **SCHOOL BUILDING CORPORATIONS.** The repeal of sections 66.30 (6) (c) 3, 120.10 (18), 120.19 and 120.23 of the statutes by this act does not affect the powers, rights, obligations and liabilities of any school board or nonprofit corporation with respect to any leases or other agreements entered into by any school board or nonprofit corporation under the authority of such sections.

(4) **COMPUTATION OF MEMBERSHIP.** Notwithstanding sections 121.05 and 121.07 (1) of the statutes, the membership and teacher-pupil ratio of the school district on September 19, 1980, shall be used in computing general school aid for the 1981-82 school year.

(5) **STATE AID DISTRIBUTION SCHEDULE.** \$35,000,000 of the amounts to be distributed to school districts under section 121.15 (1) (a) of the statutes in June 1982 shall instead be distributed in July 1982.

~~(6) **INCREASE IN SECONDARY GUARANTEED VALUATION.** For the 1981-82 school year only, the secondary guaranteed valuation used to calculate state aid under section 121.08 of the statutes shall be 110% of the statewide average equalized valuation per member for school districts that have equalized valuations per member not greater than the statewide average equalized valuation per member.~~

Vetoed  
in Part

~~**SECTION 2043. Nonstatutory provisions; public service commission.**~~

Vetoed  
in Part

~~(1) **WEATHERIZATION FINANCING.** The public service commission shall submit the rules required under section 196.177 of the statutes, as created by this act, in final draft form under section 227.018 (2) of the statutes no later than 180 days after the effective date of this act.~~

Vetoed  
in Part

~~(2) **INTERVENOR REIMBURSEMENTS.** The public service commission shall promulgate rules under section 196.265 of the statutes, as created by this act, no later than the first day of the 9th month after the effective date of this act.~~

Vetoed  
in Part

**SECTION 2045. Nonstatutory provisions; revenue.**

(1) **STATEMENT OF ESTIMATED PAYMENTS.** The statement of estimated payments in 1981 under section 79.015 of the statutes shall be provided on or before October 15.

(3) ESTIMATED TAXES. Amounts that would have been due under section 71.22 (10) (a) and (b) of the statutes before the effective date of this act shall be prorated equally among, and paid with, the instalments of estimated taxes beginning with the payment for the calendar quarter beginning at least 60 days after publication of this act.

(4) REPORT ON DATA BASE. On or before September 1, 1981, the department of revenue shall submit to the joint committee on finance a planning report detailing the specifications of the department's corporate tax sample and the composition of the staff working on the sample, detailing any timetable and measures to improve and redesign its corporate tax administration and processing system and its aggregate data base and detailing any special studies data to be coded from a sample of 1981 individual income tax forms.

(5) SHARED REVENUE REDUCTIONS. (a) Notwithstanding chapter 79 of the statutes, the November 1981 shared revenue distribution to municipalities and counties under sections 79.03 (1), 79.04 and 79.05 of the statutes shall be reduced by an amount equal to the reduction percentage under par. (b) times the sum of the municipality's or county's payments in 1981 under sections 79.03 (2) and (3), 79.04 and 79.05 of the statutes net of the reductions under chapter 1, laws of 1981, section 38. An amount equal to the amount of reductions under this paragraph shall lapse from the shared revenue account to the general fund.

(b) The "reduction percentage" is equal to the quotient of \$5,762,800 divided by the sum of statewide payments in 1981 under sections 79.03 (2) and (3), 79.04 and 79.05 of the statutes net of the reductions under chapter 1, laws of 1981, section 38.

(6) LOCAL PURPOSE REVENUE — IMPLEMENTATION. In order to implement the changes in the definition of local purpose revenue under section 79.03 (4) of the statutes, the department of revenue may, for years prior to 1981, determine and use estimates for revenues not delineated in the financial report form required under section 73.10 (2) of the statutes or other report available to the department of revenue. If the department of revenue determines that sufficient data does not exist for reasonable estimates, those revenues that should be excluded may be allowed to be included in local purpose revenues for years prior to 1981.

~~(7) CERTIFICATION OF EXCESS OIL PROFITS RECEIPTS. Notwithstanding the dates under sections 20.255 (1) (s), 20.435 (4) (v), 20.855 (4) (s), 71.01 (2) and (5), 71.11 (19) (a) and 121.075 of the statutes, on October 1, 1982, the secretary of revenue shall notify the state superintendent of public instruction, the secretary of administration and the state treasurer, in writing, of the total amount of funds deposited in the appropriation under section 20.855 (4) (s) of the statutes during the preceding nine months. On October 1, 1982, 80% of the amounts determined under section 71.01 (5) of the statutes shall be paid into the integrated oil company taxation fund under section 20.255 (1) (s) and 20% of the amounts shall be paid into the integrated oil company weatherization fund under section 20.435 (4) (v) of the statutes. On or before October 15, 1982, the state superintendent of public instruction shall submit to the joint committee on finance for its approval an estimate of the increased aids or guaranteed valuations under section 121.075 of the statutes and the joint committee on finance shall direct the revisor of statutes to increase the primary guaranteed valuations per member under section 121.07 (7) (a) of the statutes for the current school year as determined by the committee.~~

Vetoed  
in Part

**SECTION 2048. Nonstatutory provisions; securities.**

(1) PROGRAM REVENUE APPROPRIATION. Notwithstanding sections 20.001 (3) (a) and 20.185 (1) (g) of the statutes, as affected by this act, any balance in the appropriation under section 20.185 (1) (g) of the statutes at the close of:

(a) Fiscal year 1981-82 which exceeds 10% of the previous fiscal year's expenditures under section 20.185 (1) (a), 1979 stats., shall lapse to the general fund.

(b) Fiscal year 1982-83 which exceeds 10% of the previous fiscal year's expenditures under that section shall lapse to the general fund.

**SECTION 2049. Nonstatutory provisions; solid waste recycling authority.**

(1) **SOLID WASTE RECYCLING.** The moneys appropriated under section 20.398 (1) (a) of the statutes for fiscal year 1982-83 may not be expended unless the solid waste recycling authority obtains a signed contract for a solid waste recycling facility or related facility by June 30, 1982, and the joint committee on finance approves this expenditure.

**SECTION 2051. Nonstatutory provisions; transportation.**

(1) **LOCAL BRIDGE PROJECTS.** The department of transportation shall submit the proposed rules required by section 84.18 (7) of the statutes to the presiding officer of each house of the legislature under section 227.018 (2) of the statutes no later than the first day of the 7th month following publication of this act.

(2) **LAPSES TO THE TRANSPORTATION FUND.** (a) Notwithstanding section 20.001 (3) (c) of the statutes, on June 30, 1981, or the day following publication of this act, whichever is later, \$140,000 in the appropriation under section 20.395 (5) (es), 1979 stats., shall lapse to the transportation fund.

(b) For the purposes of closing out accounts, the lapse of the funds under this subsection shall be treated as if the lapse occurred on June 30, 1981.

(3) **TRANSPORTATION AIDS, 1980-81 ONE-TIME LATE FILING ADJUSTMENT.** (a) *Authority.* The department of transportation may make a one-time supplemental payment of transportation aids to any local government that failed to file a substantially complete and accurate calendar year 1979 cost report by May 15, 1980, under section 86.303 (5), 1979 stats.

(b) *Eligibility.* In order to be eligible for the one-time supplement, the local government shall submit to the department of transportation an independent, certified audit of its 1979 calendar year cost report by September 8, 1981, or 60 days after the effective date of this act, whichever is later.

(c) *Amount.* The supplemental payment shall be in an amount equal to the difference between 1) what the local government received in transportation aids payments under section 86.30 (4), 1979 stats., for fiscal year 1980-81 and 2) 90% of what the local government's transportation aids under section 86.30 (4), 1979 stats., would have been calculated to be in fiscal year 1980-81 if it had filed a timely and accurate cost data report, reduced by the same percentage as other 1980-81 transportation aids payments to reflect appropriation reductions due to revenue deficiencies.

(d) *Source.* The source of funds to make these supplemental payments shall be the appropriation for local transportation aids during 1981-82, under section 20.395 (1) (aq) of the statutes. Supplemental payments shall be subtracted from the amount shown in the schedule prior to calculating the 1981-82 transportation aids distribution under section 86.30 (4) of the statutes, as affected by this act.

(e) *Time for payment.* The supplemental payment shall be made by separate check mailed to the local government on January 4, 1982.

(4) **LAPSES TO THE TRANSPORTATION FUND.** (a) Notwithstanding section 20.001 (3) (c) of the statutes, on June 30, 1981, or the day following publication of this act, whichever is later, there shall lapse to the transportation fund \$210,000 from the appropriation under section 20.395 (2) (cq), 1979 stats., \$262,500 from the appropriation under section 20.395 (2) (dq), 1979 stats., \$53,400 from the appropriation under section 20.395 (2) (fq), 1979 stats., \$563,500 from the appropriation under section 20.395 (3) (aq), 1979 stats., \$4,368,900 from the appropriation under section 20.395 (3) (bq), 1979 stats., \$1,592,800 from the appropriation under section 20.395 (3) (cq), 1979 stats., ~~\$1,537,300 from the appropriation under section 20.395 (3) (dq), 1979 stats.,~~ **Vetoed** \$7,900 in Part



from the appropriation under section 20.395 (3) (hq), 1979 stats., and \$14,700 from the appropriation under section 20.395 (4) (aq), 1979 stats.

(b) For the purposes of closing out accounts, the lapse of the funds under this subsection shall be treated as if the lapse occurred on June 30, 1981.

(5) EXCESS LANDS ADJACENT TO ADMINISTRATIVE FACILITIES. (a) The department of transportation shall identify excess lands owned by the state and under the jurisdiction of the department and located adjacent to the department's administrative facilities.

(b) The department shall initiate proceedings to sell and dispose of the lands identified under par. (a).

(c) All moneys received from the sale or disposal of excess lands under par. (b) shall be deposited in the transportation fund.

(6) MOTOR VEHICLE EMISSION INSPECTION AND MAINTENANCE PROGRAM. The moneys appropriated under section 20.395 (5) (hr) of the statutes, as created by this act, for fiscal year 1982-83, \$43,400 of the moneys appropriated under section 20.395 (5) (aq) of the statutes for fiscal year 1982-83 and \$125,000 of the moneys appropriated under section 20.395 (5) (cq) of the statutes, as amended by this act, for fiscal year 1982-83 may not be expended until the department of transportation submits a report to the joint committee on finance on the funding and staffing requirements for the motor vehicle emission inspection and maintenance program under section 110.20 of the statutes based on its scope, starting date and contractor involvement in the motor vehicle registration renewal process and the committee approves these expenditures.

(7) RULES FOR TOWN ROAD BRIDGE STANDARDS. The department of transportation shall promulgate the rule required under section 86.265 of the statutes no later than the first day of the 9th month following the effective date of this act.

~~(8) FREEWAY LANDS. (a) Removal of freeways from the state trunk highway system. The department of transportation is directed to remove from the state trunk highway system.~~

~~1. A highway in the county of Milwaukee extending from the intersection with Milwaukee Street easterly along the proposed Park East Freeway to the intersection with the proposed Lake Freeway, a total of approximately 1.7 miles.~~

~~2. A highway in the county of Milwaukee extending from the intersection of the East-West Freeway northerly along the proposed Lake Freeway to the intersection with the proposed Park East Freeway, a total of approximately 0.8 miles.~~

~~4. A highway in the county of Milwaukee extending from the intersection with Car Ferry Drive southerly along the proposed Lake Freeway to the intersection with Dayton Avenue, a total of approximately 0.9 miles.~~

~~(b) Disposition of freeway lands. 1. Notwithstanding section 84.09 (5) of the statutes, the secretary of transportation shall dispose of interests in lands and property previously acquired and held in trust for the state for the Park East Freeway and the Lake Freeway North segments of the Loop Closure project in the Milwaukee County Expressway System by conveyance or otherwise under such terms as the secretary deems reasonable and in the public interest.~~

~~1r. Notwithstanding section 84.09 (5) of the statutes, the secretary of transportation shall dispose of interests in lands and property previously acquired and held in trust for the state for the Lake Freeway South in the Milwaukee County Expressway System by conveyance or otherwise under such terms as the secretary deems reasonable and in the public interest.~~

~~2. Any proceeds received from the disposition of interests in lands and property under this paragraph shall be deposited in the state transportation fund. Any reimbursement from those proceeds to federal and local governments for expenditures incurred in acquiring such interests shall be made from the appropriation under section 20.395 (9) (gd) of the statutes.~~ Vetoed in Part

(9) URBAN MASS TRANSIT OPERATING ASSISTANCE CONTRACTS. For the purpose of establishing aid contracts with eligible applicants under the provisions of section 85.20 (4s) of the statutes, the department of transportation shall assume that up to \$8,763,000 is available from the 1982-83 appropriation under section 20.395 (1) (bq) of the statutes for the purpose of providing state assistance for the last quarter of 1981-82 and that up to \$10,902,000 will be available from the 1983-84 appropriation under section 20.395 (1) (bq) of the statutes for the purpose of providing state assistance for the last quarter of 1982-83.

(10) AID PAYMENT DATE MODIFICATIONS. It is the intent of the legislature that the modifications to the payment dates for aids under sections 85.20 (4s), 86.30 (4) (b) and (9), 86.32 (2) (a) and (b) of the statutes and SECTION 2051 (9) of this act, as affected by this act, will not have any distributional impact other than delaying an aid payment from June of one fiscal year to July of the following fiscal year. The department of transportation shall administer these aid programs in a manner consistent with this intent.

~~(11) PLANNING FUNCTIONS. The SEC positions authorized for the department of transportation for the purpose of advanced design activities shall be used to conduct planning functions on at least the following major projects during the 1981-83 biennium:~~

- ~~(a) The South Madison Beltline (Highway 12).~~
- ~~(b) Highway 18/151 between Dodgeville and Mt. Horeb.~~
- ~~(c) Highway 16 between state trunk highway 190 and interstates 94.~~
- ~~(d) The Tomahawk Bypass (Highway 51).~~
- ~~(e) Highway 45 between Richfield and West Bend.~~

~~(12) BRIDGE REPLACEMENT. From the appropriation under section 20.395 (3) (dq), the department of transportation shall allocate:~~

- ~~(a) For the purpose of preliminary engineering and design planning necessary to proceed with replacing the Main street bridge in the city of Racine, \$400,000.~~
- ~~(b) For the purpose of replacing the Main street bridge in the city of Racine, \$7,000,000.~~

(13) OPERATING A MOTOR VEHICLE UNDER THE INFLUENCE OF INTOXICANT OR CONTROLLED SUBSTANCE. (a) The legislature finds that:

1. Operation of motor vehicles by persons who are under the influence of an intoxicant seriously threatens the public safety and welfare.
2. Persons who operate motor vehicles while under the influence of an intoxicant do so in disregard of the safety and welfare of both themselves and other members of the driving public and of the laws of this state.
3. Penalties are an important and necessary element in deterring the operation of motor vehicles by persons who are intoxicated.
4. A substantial number of persons who operate motor vehicles while intoxicated are in need of treatment or education or both to prevent further offenses related to the use of intoxicants.

(b) The legislature intends by passage of this act:

1. To provide maximum safety for all users of the highways of this state.
2. To provide penalties sufficient to deter the operation of motor vehicles by persons who are intoxicated.

3. To deny the privileges of operating motor vehicles to persons who have operated their motor vehicles while intoxicated.

4. To encourage the vigorous prosecution of persons who operate motor vehicles while intoxicated.

5. To promote driver improvement, through appropriate treatment or education or both, of persons who operate motor vehicles while intoxicated.

(14) POSITION AUTHORIZATION. The authorized FTE positions for the department of transportation are increased by 12.0 PRO positions and 2.0 PRO project positions for fiscal year 1981-82 and 17.0 SEG positions, 17.0 PRO positions and 2.0 PRO project positions for fiscal year 1982-83 for the purpose of implementing the responsibilities assigned to the department relating to the operation of motor vehicles by operators who are under the influence of an intoxicant or a controlled substance.

(15) ARREST PROCEDURE. The department of transportation, in consultation with the law enforcement standards board, shall evaluate the arrest procedure used for violations involving the operation of a motor vehicle by persons who are under the influence of an intoxicant or controlled substance or both. The department shall make recommendations concerning methods of improving and streamlining arrest procedures. The department shall report its findings and recommendations to the speaker of the assembly and the president of the senate by January 17, 1983.

(16) STUDY. The department of transportation shall evaluate the effectiveness of the portions of chapter .... (this act), laws of 1981, concerning driving while under the influence of an intoxicant, a controlled substance or a combination thereof, and report its findings and recommendations to the speaker of the assembly and the president of the senate by December 31, 1986.

(17) TRANSPORTATION AIDS SUPPLEMENT. (a) In addition to and not affecting the calculation of the transportation aids under section 86.30 of the statutes, the department of transportation shall provide a transportation aid supplement to each county and municipality in fiscal years 1981-82 and 1982-83.

(b) The amount of the annual supplement shall be an amount equal to \$70 for each mile of road under the jurisdiction of the county or municipality as determined under section 86.302 of the statutes.

(c) The department shall pay the annual supplement by a separate check mailed to each county or municipality on or before March 15, 1982 and March 15, 1983.

(d) The supplement shall be paid from the appropriation under section 20.395 (1) (av) of the statutes.

(e) The supplement shall be used by the local authority for the purpose of road maintenance or construction and may not be used for capital expenditures.

~~(18) CRITERIA FOR HIGHWAY AND BRIDGE PROJECTS. The department of transportation shall submit the proposed rule required by section 85.025 (2) of the statutes to the presiding officer of each house of the legislature under section 227.018 (2) of the statutes no later than the first day of the 9th month following publication.~~

Vetoed  
in Part

(19) MOPEDS. (a) Except as provided in paragraph (b), any vehicle which qualifies as a moped under SECTION 1537o, 1537r or 1537u of this act but is registered as a motor bicycle or motor-driven cycle under section 341.25 (1) (b) of the statutes on the effective date of this act shall remain a motor bicycle or motor-driven cycle and be so titled, registered and regulated for the remainder of the registration period.

(b) Any vehicle which qualifies as a moped under SECTION 1537o, 1537r or 1537u of this act but is registered as a motor bicycle or motor-driven cycle under section 341.25 (1) (b) of the statutes on the effective date of this act may be titled, registered and regulated as a moped before the expiration of the registration period upon the payment of \$4.

(c) Nothing in this subsection authorizes or directs the department of transportation to refund any fees paid under section 341.25 (1) (b) of the statutes.

**SECTION 2052. Nonstatutory provisions; treasurer.**

(1) TRANSFER OF BONDS. On the effective date of this act, the state treasurer shall transfer all bonds received as surety from boxing and sparring exhibition license applicants under section 444.03 of the statutes to the department of regulation and licensing.

**SECTION 2053. Nonstatutory provisions; University of Wisconsin system.**

(1) TRANSFER TO GENERAL FUND. There is transferred to the general fund on July 1, 1982, \$2,900,000 from the university of Wisconsin hospital and clinics building and fixed equipment replacement fund.

(2) UNIVERSITY OF WISCONSIN CENTER AT MEDFORD. The board of regents of the university of Wisconsin system shall discontinue the university of Wisconsin center at Medford at the end of the 1980-81 academic year.

(3) DEPARTMENT OF FAMILY MEDICINE AND PRACTICE BUDGET. The department of family medicine and practice at the university of Wisconsin-Madison shall include in its 1983-85 biennial budget submission recommendations for programmatic changes which will permit its residency program to continue operations at the current proportion of state funding. The department may include recommendations for attracting new sources of revenue or for expanding nonstate sources of revenue, including funds currently contributed by clinic charges.

~~(4) CENTER SYSTEM CUSTODIAL POSITIONS. The 29.4 county custodial positions at the university of Wisconsin system centers at Baraboo, Manitowoc, Sheboygan and Waukesha, funded on the effective date of this act on a contract basis with the university of Wisconsin system, may be transferred to the state classified service under section 230.15 (1) of the statutes. The administrator of the division of personnel in the department of employment relations shall determine eligibility, pay, benefits and status for those employees who choose to transfer by considering their years of service under contract to the university of Wisconsin system as years of service in the state classified service, but no cash payments may be made by the state to or on behalf of the employees for accrued benefits under county employment. The authority to transfer under this subsection extends only until June 30, 1982.~~

Vetoed  
in Part

(5) ROBERT M. LA FOLLETTE SCHOOL OF PUBLIC AFFAIRS. The chancellor of the university of Wisconsin-Madison shall conduct a study regarding the establishment of a Robert M. La Follette school of public affairs at the university of Wisconsin-Madison to promote the study of government and public policy in this state. The chancellor shall report his or her findings and recommendations to the governor and the appropriate standing committees of the legislature, as determined by the presiding officer of each house, by September 1, 1983.

Vetoed  
in Part

(6) POSITION AUTHORIZATIONS. The authorized FTE positions for the university of Wisconsin system are increased by 1.0 PRO position on the effective date of this subsection for a breathalyzer test expert for the state laboratory of hygiene.

**SECTION 2056. Nonstatutory provisions; vocational, technical and adult education.**

(1) FTE METHODOLOGY. The board of vocational, technical and adult education shall submit to the governor, the joint committee on finance and the appropriate standing committees of the legislature, as determined by the presiding officer of each house, by February 1, 1982, a report which analyzes the current methodology for determining full-time equivalent (FTE) students in vocational district programs for state aid and cost control purposes and provides the board's recommendations on the need to alter the calculation of full-time equivalency. The report shall include:

(a) The justification for the current board methodology used in determining full-time equivalency in college parallel, post-secondary and vocational programs.

(b) The fiscal impact of using the current FTE methodology upon state aid formula and cost control provisions.

(c) Alternative FTE calculations which would address the recognized limitations of the current methodology while providing historical continuity with past FTE records.

(d) The advantages and disadvantages of amending the FTE methodology in 1982-83.

(2) VTAE DIVISION ADMINISTRATOR SALARIES. Any individual who serves as a division administrator of the board of vocational, technical and adult education in the unclassified service on the effective date of this act may continue to receive the salary he or she is receiving on the effective date of this act until 6 months after the effective date of this act or until the joint committee on employment relations approves an assignment of his or her position to an executive salary group under section 20.923 (4) of the statutes, whichever occurs first.

(3) TREATMENT OF EQUIPMENT PURCHASES; STUDY AND REPORT. The board of vocational, technical and adult education shall review the treatment of equipment purchases in vocational, technical and adult education district board budgets and shall submit a report to the governor, the joint committee on finance and the joint legislative audit committee by November 1, 1981, recommending how equipment purchases should be handled for state aid and cost control purposes.

**SECTION 2057. Nonstatutory provisions; other.**

(1) AUDIT REPORTS ON THE METROPOLITAN SEWERAGE COMMISSION. The first audit report required under section 59.96 (11) (a) of the statutes shall be completed and submitted as required under section 59.96 (11) (d) of the statutes on or before the first day of the 13th month following the effective date of this subsection.

(2) LIMITED TERM APPOINTMENT REPORTS. (a) Each state agency shall include in its budget request for the 1983-85 biennium under section 16.42 of the statutes a report concerning the agency's limited term appointments in fiscal year 1981-82. The report shall set forth the number of appointments in, and the hours worked by and salaries paid to employees in, all of the following applicable categories of limited term employment:

1. Employment of a recurring nature for less than 600 hours a year.
2. Employment of a recurring nature for 600 or more hours a year:
  - a. For which the work hours cannot be scheduled in advance with a reasonable degree of certainty.
  - b. Which is so irregularly needed that a permanent, seasonal or project appointment is not feasible.
  - c. Which is not covered by subdivision 2. a or b.
3. Employment of a nonrecurring nature for less than 1,044 hours a year.

(b) The department of administration, in consultation with the department of employment relations, shall specify the format of the report required under paragraph (a). The departments may require the report to contain items in addition to those set forth in paragraph (a).

(c) Each state agency shall include in its budget request under section 16.42 of the statutes for the 1983-85 biennium a request that each position reported under paragraph (a) 2. c be converted to either a permanent, seasonal or project position.

(3) LIMITATIONS UPON PROGRAM REVENUE APPROPRIATIONS AND PROGRAM REVENUE-FUNDED POSITIONS. No later than 30 days after the general effective date of this act, the secretary of administration shall provide to the joint committee on finance a report concerning any initial modifications which are necessary to the appropriation levels established under this act for program revenue and program revenue-service appropriations as defined in section 20.001 (2) (b) and (c) of the statutes which are changed under this act from continuing appropriations to annual or biennial appropriations. The report shall

also indicate any initial modifications that are necessary to full-time equivalent authorized position levels funded from program revenue and program revenue-service appropriations determined under this act. Such modifications shall be limited to appropriately reflecting the appropriation or position level changes necessary to account for higher base levels for the 1980-81 fiscal year due to appropriation or position increases authorized by the governor and secretary of administration under sections 16.505 (1) (c) and 16.50 (2) of the 1979 statutes prior to the effective date of this act. Upon acceptance of the report by the joint committee on finance, the department of administration may adjust the annual or biennial program revenue and program revenue-service appropriation levels and position authorization levels provided or determined under this act as indicated in the report to correctly reflect continuation of base level appropriations and positions prior to the effective date of this act as indicated in the report. Vetoed in Part

(4) CONFLICT OF INTEREST BY STATE CONTRACTORS. The department of employment relations and the ethics board shall assist the department of administration in the development of rules to implement the requirements imposed under section 16.705 (5) of the statutes, as created by this act, for assuring the independence of state contractors. The agencies shall also recommend statutory changes, if any, deemed by them to be necessary or desirable to effectuate the policies set forth in that subsection. Any recommendation for statutory changes shall be referred by the secretary of administration to the presiding officers of each house of the legislature and to the joint committee on finance.

(5) CONTRACTUAL SERVICES ITEMIZATION. Each agency shall submit to the department of administration with its budget request for the 1983-85 biennium under section 16.42 of the statutes an identification of the amounts proposed by the agency to be expended for contractual services as defined in section 16.70 (1) of the statutes, separated according to source of revenue as provided in section 20.001 (2) of the statutes.

(6) IMPLEMENTATION OF GENERAL APPROPRIATION REDUCTIONS. (a) Notwithstanding any other provision of law, the secretary of administration may approve a request from any state agency as defined in section 20.001 (1) of the statutes to transfer moneys in fiscal year 1981-82 or fiscal year 1982-83 from one of its sum certain general purpose revenue appropriations for state operations as designated in the schedule under section 20.005 (2) of the statutes to another such general purpose revenue sum certain appropriation for state operations if the secretary determines that this will allow the requesting state agency to more equitably implement the general appropriations reductions included as a part of this act. Notwithstanding any other law or any determination made under this act, the secretary may similarly approve a transfer of positions funded from one of its sum certain general purpose revenue appropriations for state operations to another such appropriation for this purpose during this period.

(b) Whenever the secretary proposes to approve a transfer of appropriations or positions under paragraph (a), the secretary shall first notify the joint committee on finance in writing of the proposed transfer. The secretary may proceed with the proposal if, within 14 working days of the date of the notification, the committee does not schedule a meeting for the purpose of reviewing the secretary's proposed action. If the committee schedules a meeting within this period for the purpose of reviewing the secretary's proposed action, the transfer may not be made under this subsection unless the committee approves the action.

~~(7) ROBERT L. BORUM CLAIM. There is released from the general fund to Robert L. Borum, Milwaukee, Wisconsin, \$75,000 to be paid from the appropriation under section 20.505 (4) (d) of the statutes, as affected by this act, to compensate him for permanent partial disability and years of suffering. His disability results from an industrial accident which occurred in Kenosha on March 31, 1955, and has not been recompensed due to the state industrial commission's November 30, 1955, denial of his claim of permanent injuries, and the operation of chapter 192 of the statutes which limits the claimant to a single cause of action even though there was insufficient knowledge of the extent of his injuries~~ Vetoed in Part

**Vetoed in Part** at the time of the original hearing. Acceptance of this payment operates as a full and complete release to the state of any further claim by Mr. Borum arising out of his injury and the consideration thereof by the industrial commission.

(8) CERTIFICATES AND CREDENTIALS RELATING TO MARRIAGE. On or after the 91st day commencing after the day of publication of this act all certificates of negative finding filed with the county clerk under section 756.06 (1) (e) of the statutes shall be destroyed.

**SECTION 2138. Appropriation changes; natural resources.**

(3) ADMINISTRATIVE FACILITIES — GENERAL FUND. The appropriation to the department of natural resources under section 20.370 (8) (Ld) of the statutes, as affected by the laws of 1981, is increased by an amount equal to the amount which lapsed to the general fund on June 30, 1981, under section 20.370 (8) (Ld), 1979 stats.

(4) ADMINISTRATIVE FACILITIES — CONSERVATION FUND. The appropriation to the department of natural resources under section 20.370 (8) (Lt) of the statutes, as affected by the laws of 1981, is increased by an amount equal to the amount which lapsed to the conservation fund on June 30, 1981, under section 20.370 (8) (Lt), 1979 stats.

**SECTION 2151. Appropriation changes; transportation.**

(1) RAIL COMMUTER SERVICES. The appropriation to the department of transportation under section 20.395 (2) (aq) of the statutes, as affected by the laws of 1981, is increased in fiscal year 1981-82 by \$200,000 less the amount expended or encumbered under chapter 221, laws of 1979, section 2152 (7) for the purpose of providing a state grant to the city of Racine to match federal funds for track rehabilitation and improvement work for the extension of rail commuter services between Racine and Kenosha.

(2) RAILROAD CAPITAL ADVANCES. The appropriation to the department of transportation under section 20.395 (2) (bq) of the statutes, as affected by the laws of 1981, is increased by an amount equal to the amount which lapsed to the transportation fund on June 30, 1981, under section 20.395 (2) (eq), 1979 stats.

**SECTION 2200. Change in terminology.**

~~(3) AGRICULTURE, TRADE AND CONSUMER PROTECTION.~~

~~(a) *Soil and water conservation.* 1. Wherever the term "board of soil and water conservation districts" appears in the following sections of the statutes, the term "department of agriculture, trade and consumer protection" is substituted: 80.05 (2) (b), 84.01 (17), 88.22 (3) (intro.) and 144.25 (3) (a), (5) (intro.) and (8) (g) (intro.) and (h) 1.~~

**Vetoed in Part** 2. Wherever the term "soil and water conservation district" appears in the following sections of the statutes, the term "county land conservation committee" is substituted: 30.28 (3), 31.39 (3), 32.02 (1), 32.07 (2), 33.14 (2) (b) and (4) (d), 33.16 (4) (d), 60.18 (21), 88.05 (4) (a), 91.13 (2) and 91.35 (1).

~~3. Wherever the term "a soil and water conservation district" appears in the following section of the statutes, the term "the county land conservation committee" is substituted: 59.07 (60).~~

~~4. Wherever the term "board of soil and water conservation districts" appears in the following section of the statutes, the term "land conservation board" is substituted: 15.347 (8) (c).~~

~~5. Wherever the term "soil and water conservation districts" appears in the following section of the statutes, the term "county land conservation committees" is substituted: 91.05 (1).~~

**(25) INDUSTRY, LABOR AND HUMAN RELATIONS.**

**(a) *Sewage system nuisance control.*** Wherever the term "department" appears in the following section of the statutes, the term "department of industry, labor and human relations" is substituted: 146.14 (2).

(51) ~~TRANSPORTATION.~~

(a) ~~Registration plates or license plates.~~ Wherever the term "registration plates" or "license plates" appears in the following sections of the statutes, the term "registration plate" is substituted: 121.53 (4), 341.09 (2), 341.13 (2), 341.266 (3), 341.268 (3) and 341.33 (2). Vetoed in Part

(b) ~~Current registration plates.~~ Wherever the term "current registration plates" appears in section 341.28 (3) of the statutes, substitute the term "a current registration plate".

(c) ~~Valid registration plates.~~ Wherever the term "valid registration plates" appears in the following section of the statutes, substitute the term "a valid registration plate": 341.47 (1) (intro.) and (3).

(57) OTHER.

(a) *Marriage license.* Wherever the term "license" appears in the following sections of the statutes, the term "marriage license" is substituted: 765.02 (2), 765.11 (2), 765.16 (intro.) and 765.23.

**SECTION 2201. Program responsibility changes.** In the sections of the statutes listed in Column A, the program responsibilities references shown in Column B are deleted and the program responsibilities references shown in Column C are inserted:

(1) ADMINISTRATION.

(a) *Shared revenue.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	79.10 (1a)(b)	none

(b) *Establishing equalized valuation.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	70.57 (3)	none

(c) *Salary and fringe benefit supplement allocations.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	20.928 (1)

(e) *State employes' worker's compensation.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	102.08 102.42 (8)

(g) *Program supplements.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	20.865 (1)(f)	20.865

(h) *Earned income credit.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	71.09 (12m)

(i) *Program revenue appropriations.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	20.855 (8)

(j) *Sick leave accounting.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.101 (intro.)	none	49.41 (11)

(3) AGRICULTURE, TRADE AND CONSUMER PROTECTION.

(a) *Soil and water conservation.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.131 (intro.)	none	ch. 32 and ss. 36.25 (7), 49.22 (3), and

Vetoed in Part



Vetoed  
in Part

144.25

(b) *Farmland preservation.*  

A	B	C
Statute Sections 15.191 (4), as created by chapter (this act), laws of 1961	References Deleted none	References Inserted ch. 91

(c) *State fair park board; Olympic ice rink.*

A	B	C
Statute Sections 15.131 (1)	References Deleted none	References Inserted 23.35

(15) EMPLOYMENT RELATIONS DEPARTMENT.

(a) *Contractual service contract approval.*

A	B	C
Statute Sections 15.171 (intro.)	References Deleted none	References Inserted 16.705 (3)

(17) EXECUTIVE ADMINISTRATION.

(a) *Appeal of salary and fringe benefit allocations.*

A	B	C
Statute Sections 14.011 (intro.)	References Deleted 20.865 (1)(c) 2	References Inserted 20.928 (2)

(d) *Program supplementation.*

A	B	C
Statute Sections 14.011 (intro.)	References Deleted none	References Inserted 20.865 (4)(a), (g) and (u)

(e) *Emergency services procurement.*

A	B	C
Statute Sections 14.011 (intro.)	References Deleted none	References Inserted 16.705 (4)

Vetoed  
in Part

(18) EXECUTIVE PROGRAMS.  
(a) *Wisconsin civilian conservation corps.*  

A	B	C
Statute Sections 14.011 (3)	References Deleted none	References Inserted 23.48 (5)

(20) HEALTH AND SOCIAL SERVICES.

(a) *Relocation expenses for corrections employees.*

A	B	C
Statute Sections 15.191 (intro.)	Reference Deleted none	References Inserted 20.917 (5)

Vetoed  
in Part

(b) *School taxes.*  

A	B	C
Statute Sections 15.191 (intro.)	References Deleted 70.117	References Inserted none

(c) *Guidelines; indices.*

A	B	C
Statute Sections 15.191 (intro.)	References Deleted none	References Inserted 767.395

(d) *Offset of debts.*

A	B	C
Statute Sections 15.191 (intro.)	References Deleted none	References Inserted 71.105 (2)

(e) *Marriage application and document.*

A	B	C
Statute Sections 15.191 (intro.)	References Deleted none	References Inserted 765.09, 765.13

(f) *Implied consent.*

A	B	C
Statute Sections 15.191 (intro.)	References Deleted 343.305 (9)(a)	References Inserted 343.305 (9)(c)

(25) INDUSTRY, LABOR AND HUMAN RELATIONS.

(b) <i>Sewage system nuisance control.</i>		
A	B	C
Statute Sections 15.221 (intro.)	References Deleted none	References Inserted 146.14 (2)
(26) INSURANCE.		
(b) <i>Fire dues.</i>		
A	B	C
Statute Sections 15.731	References Deleted none	References Inserted 101.58
(28) INVESTMENT BOARD.		
(b) <i>Health insurance risk sharing plan fund.</i>		
A	B	C
Statute Sections 15.761	References Deleted none	References Inserted 619.125 (3)(d)
(32) JUSTICE.		
(d) <i>Legal services to examining boards.</i>		
A	B	C
Statute Sections 15.251 (intro.)	References Deleted 447.01 (2)	References Inserted none
(e) <i>Approval of settlements.</i>		
A	B	C
Statute Sections 15.251 (intro.)	References Deleted none	References Inserted 20.865 (1)(a), (g) and (q)
(38) NATURAL RESOURCES.		
(b) <i>Closing of Stonefield Village.</i>		
A	B	C
Statute Sections 15.341 (intro.)	References Deleted 44.12	References Inserted none
(c) <i>Shared revenue.</i>		
A	B	C
Statute Sections 15.341 (intro.)	References Deleted none	References Inserted 79.03 (3)(e)
(42) PUBLIC INSTRUCTION.		
(b) <i>American Indian language and culture education board.</i>		
A	B	C
Statute Sections 15.371 (4)	References Deleted none	References Inserted 39.38 (2)
(c) <i>Wisconsin tax credits.</i>		
A	B	C
Statute Sections 15.371 (intro.)	References Deleted none	References Inserted 79.10 (2)(e)
(d) <i>Youth initiatives program.</i>		
A	B	C
Statute Sections 15.371 (intro.)	References Deleted none	References Inserted 101.227 (2)
(45) REVENUE.		
(a) <i>Local transportation aids.</i>		
A	B	C
Statute Sections 15.431 (intro.)	References Deleted none	References Inserted 86.303 (5)
(b) <i>Support payments offset against tax refunds.</i>		
A	B	C
Statute Sections 15.431 (intro.)	References Deleted none	References Inserted 46.255
(c) <i>Tax incremental financing.</i>		
A	B	C
Statute Sections 15.431 (intro.)	References Deleted none	References Inserted 66.46 (6m)
(51) TRANSPORTATION.		

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(a) *Registration of aircraft.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.461 (1)	114.20 (9m)	114.20 (16) and (19)

Vetoed  
in Part

A	B	C
Statute Sections	References Deleted	References Inserted
<del>15.461 (intro.)</del>	<del>none</del>	<del>13.489</del>

(52) TREASURER.

(b) *Fire dues.*

A	B	C
Statute Sections	References Deleted	References Inserted
14.561	601.93	101.58

(53) UNIVERSITY OF WISCONSIN SYSTEM.

Vetoed  
in Part

A	B	C
Statute Sections	References Deleted	References Inserted
<del>15.911 (intro.)</del>	<del>none</del>	<del>40.41 (1)(1)</del>

(b) *Antenuptial venereal disease testing.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.911 (2)	765.06 (1)(b)	none

(56) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(a) *Youth initiatives program.*

A	B	C
Statute Sections	References Deleted	References Inserted
15.941 (intro.)	none	101.227 (2)

SECTION 2202. **Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

(1) ADMINISTRATION.

(a) *Effective dates of compensation adjustments.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
36.09 (1)(j)	20.865 (6)	20.928 (3)

(b) *Revision of appropriations structure.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
14.019 (2)	20.505 (5)(a)	20.505 (3)(a)
14.019 (4)	20.505 (5)(h)	20.505 (3)(h)
14.80 (1)	20.505 (5)(a)	20.505 (3)(a)
39.76 (1)	20.505 (5)(a)	20.505 (3)(a)
146.70 (3)(d)	20.505 (9)(a)	20.505 (3)(e)
227.012 (5)	20.505 (8)(a)	20.505 (4)(f)
775.06 (5)	20.505 (3)(b)	20.505 (4)(d)

(c) *Unlawful contractual service contracts.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
16.77 (2)	16.71 to 16.82	16.705 to 16.82

(10) DEVELOPMENT.

(a) *Appropriation authorization and program responsibilities changes.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
91.65 (1)	20.143 (4)(c)	20.143 (3)(ea)
560.11 (4)	20.143 (3)(b) and (c)	20.143 (3)(b)

(17) EXECUTIVE ADMINISTRATION.

(a) *Special counsel.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
14.11 (2)(b)	20.455	20.525 (1)(e)
21.13 (1)	20.455 (1)(b)	20.525 (1)(e)

(20) HEALTH AND SOCIAL SERVICES.

(a) *Long-term support community options program.*

A	B	C
Statute Sections 46.031 (2)(c) 4	Old Cross-References 46.21, 46.22, 46.23, 46.26, 51.42 or 51.437	New Cross-References 46.21, 46.22, 46.23, 46.26, 46.27, 51.42 or 51.437
46.031 (2)(c) 5	46.21, 46.22, 46.23, 46.26, 51.42 or 51.437	46.21, 46.22, 46.23, 46.26, 46.27, 51.42 or 51.437

(b) *Shelter care aids.*

A	B	C
Statute Sections 20.435 (2)(dd)	Old Cross-References 48.48 (4), (12) and and (14), 48.52 and 48.58 (2)	New Cross-References 48.48 (4), (12) and (14) and 48.52

(c) *Consolidating disease aids.*

A	B	C
Statute Sections 149.06 (6)(g)	Old Cross-References 20.435 (1)(c)	New Cross-References 20.435 (1)(e)

(d) *Institutional operations.*

A	B	C
Statute Sections 20.435 (3)(kk) 51.42 (9)(b)	Old Cross-References sub. (2)(gm) 20.435 (2)(kk)	New Cross-References sub. (2)(gk) 20.435 (2)(gk)

(g) *Senior center projects.*

A	B	C
Statute Sections 20.435 (2)(df)	Old Cross-References 46.80 (5) and (7) and 46.85	New Cross-References 46.80 (5) and 46.85

(h) *Certificates of need.*

A	B	C
Statute Sections 150.07 (2)	Old Cross-References sub. (1)(a) to (L)	New Cross-References sub. (1)(a) to (t)

(i) *Billing developmental disabilities boards.*

A	B	C
Statute Sections 46.10 (8m)(c)	Old Cross-References par. (a) or (b)	New Cross-References par. (a), (am) or (b)

(j) *Combining community health appropriations.*

A	B	C
Statute Sections 46.037 (1)(g) 46.22 (5m)(c) 46.26 (4)(a) 49.51 (3)(c)	Old Cross-References 20.435 (2)(bb) 20.435 (2)(bb) and (o) 20.435 (2)(bb) or (cd) 20.435 (2)(bb) and (o)	New Cross-References 20.435 (2)(b) 20.435 (2)(o) 20.435 (2)(b) or (cd) 20.435 (2)(b) and (o)

(m) *Medical assistance revisions.*

A	B	C
Statute Sections 49.43 (9)	Old Cross-References 49.45 to 49.47, 49.49 and 49.495	New Cross-References 49.45 to 49.47 and 49.49 to 49.497
767.29 (2)	49.19 (4)(h) 1	49.19 (4)(h) 1 or 49.45 (19)
767.32 (1)	49.19 (4)(h)	49.19 (4)(h) or 49.45 (19)
767.45 (1)(g)	49.19 (4)(h) 1	49.19 (4)(h) 1 or 49.45 (19)
767.47 (6)(a)	49.19 (4)(h) 1	49.19 (4)(h) 1 or 49.45 (19)
767.47 (6)(b)	49.19 (4)(h) 1	49.19 (4)(h) 1 or 49.45 (19)

(n) *Reimbursements to local units of government.*

A	B	C
Statute Sections 46.10 (8)(i)	Old Cross-References 20.435 (2)(d)	New Cross-References 20.435 (2)(gg) and (kk)
51.42 (8)(h)	20.435 (2)(d)	20.435 (2)(gg)

(o) *Community aids.*

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A	B	C
Statute Sections 48.06 (4)	Old Cross-References 49.52 (1)(d) 2.c and and 3.c	New Cross-References 49.52 (1)(d) 2 and 3

(q) *Powers of community mental hygiene boards.*

A	B	C
Statute Sections 51.42 (8)(h)	Old Cross-References 51.42 (5), 51.437 (5) and 51.45 (2)(g)	New Cross-References 51.42 (5) and (5m), 51.437 (5) and 51.45 (2)(g)
632.89 (1)(a)	51.42 (5)(b) to (d)	51.42 (5)(b) and (c) and (5m)(b)

(r) *Medical assistance federal appropriations.*

A	B	C
Statute Sections 49.046 (1)	Old Cross-References 20.435 (1)(o) and (4)(e)	New Cross-References 20.435 (1)(o) and (p) and (4)(e)
49.45 (6m)(a) 1	20.435 (1)(b) and (o)	20.435 (1)(b), (o) or (p)
49.45 (6m)(a) 3	20.435 (1)(b) and (o)	20.435 (1)(b), (o) or (p)

(s) *Domestic abuse grants.*

A	B	C
Statute Sections 46.95 (2)(a) 973.055 (3)	Old Cross-References 20.435 (8)(c) and (h) 20.435 (8)(h)	New Cross-References 20.435 (2)(cb) and (hh) 20.435 (2)(hh)

(22) HIGHER EDUCATIONAL AIDS BOARD.

(a) *Centralized lender collections.*

A	B	C
Statute Sections 20.235 (2)(hb)	Old Cross-References (2)(ga), (hc), (ja) or (ma)	New Cross-References (2)(ga), (ja) or (ma)

(26) INSURANCE.

(a) *Fee changes.*

A	B	C
Statute Sections 601.31 (2)	Old Cross-References sub. (1)(b), (c), (u) and (w)	New Cross-References sub. (1)(b), (c) and (q)
601.51 (1)	601.31 (1)(y)	601.31 (1)
601.72 (4)	601.31 (1)(t)	601.31 (1)(p)
610.53 (3)	601.31 (1)(d) and (2) (d)	601.31 (1)(a) 4 and (b) 4
618.41 (7)(b)	601.31 (1)(o) 3	601.31 (1)(L) 3
628.11	601.31 (1)(q)	601.31 (1)(n)
636.04 (2)	601.31 (1)(o) 4	601.31 (1)(L) 4

(b) *Fire dues.*

A	B	C
Statute Sections 20.145 (3)(v) 101.59 (3)(intro.), as renumbered 101.59 (3)(b), as renumbered	Old Cross-References 601.93 (3) subs. 1 and 2 subd. 1	New Cross-References 101.58 (1) pars. (a) and (b) par. (a)

(c) *Indemnity fund.*

A	B	C
Statute Sections 601.46 (3)(i) 604.01 604.04 (1)	Old Cross-References chs. 604 to 608 chs. 605 to 608 chs. 604 to 608 chs. 605 to 608	New Cross-References chs. 604 to 607 chs. 605 to 607 chs. 604 to 607 chs. 605 to 607
604.04 (3)	chs. 604 to 608	chs. 604 to 607
604.05	chs. 605 to 608	chs. 605 to 607
604.06 (1)	chs. 605 to 608	chs. 605 to 607
604.06 (2)	chs. 605 to 608	chs. 605 to 607
604.07	chs. 605 to 608	chs. 605 to 607
611.23 (3)	chs. 604 to 608	chs. 604 to 607
646.01 (1)(a) 2.g	chs. 604 to 608	chs. 604 to 607

(28) INVESTMENT BOARD.

(a) *Investment of work injury supplemental benefit fund.*

A	B	C
Statute Sections 102.65 (2)	Old Cross-References 206.34	New Cross-References 620.22

(33) LEGISLATURE.

A	B	C	Vetoed in Part
<del>(a) Purchasing procedure.</del>			
<del>Statute Sections 21.55 (2)</del>	<del>Old Cross-References 16.72 (4)</del>	<del>New Cross-References 16.72 (5)</del>	

(b) Joint committee on finance.

A	B	C
Statute Sections 20.923 (1) 111.92 (1) 230.12 (1)(bf)	Old Cross-References 13.10 (1) 13.10 (1) 13.10 (1)	New Cross-References 13.093 (1) 13.093 (1) 13.093 (1)

(c) Audit bureau employe status.

A	B	C
Statute Sections 20.923 (8)	Old Cross-References 13.94 (3)(f)	New Cross-References 13.94 (3)(b)

(38) NATURAL RESOURCES.

(a) Hazardous spill.

A	B	C
Statute Sections 144.76 (6)(a)	Old Cross-References 20.370 (2)(ac)	New Cross-References 20.370 (2)(cc)

(c) Recreational aids.

A	B	C
Statute Sections 23.09 (17m)(a) 23.09 (17m)(b)	Old Cross-References 20.370 (4)(be) 20.370 (4)(be)	New Cross-References 20.370 (4)(bq) 20.370 (4)(bq)

(41) PUBLIC DEFENDER BOARD.

(a) Reimbursement for juvenile defense.

A	B	C
Statute Sections 977.07 (2)	Old Cross-References 757.66	New Cross-References 48.275 (2) or 757.66

(42) PUBLIC INSTRUCTION.

(b) Alcohol and other drug abuse program appropriation.

A	B	C
Statute Sections 115.36 (3)(a)(intro.)	Old Cross-References 20.255 (1)(bg)	New Cross-References 20.255 (1)(gm)

(c) Alternative school American Indian language and culture education aid appropriation.

A	B	C
Statute Sections 115.75 (1)(a) 115.75 (3)	Old Cross-References 20.255 (1)(fn) 20.255 (1)(fn)	New Cross-References 20.255 (4)(fn) 20.255 (4)(fn)

(45) REVENUE.

(b) Shared revenue.

A	B	C
Statute Sections 79.10 (3)(a) 121.11 (1)(d)	Old Cross-References 79.17 79.16	New Cross-References 79.17, 1979 stats. 79.16, 1979 stats.

A	B	C	Vetoed in Part
<del>(c) Earned income credit.</del>			
<del>Statute Sections 71.09 (13)(a) to (d) 71.93 (2)</del>	<del>Old Cross-References sub. (7), (1), or (12) 71.09 (7), (11) or (12)</del>	<del>New Cross-References 106 (7), (11), (12) or (12m) 71.09 (7), (11), (12) or (12m)</del>	

(51) TRANSPORTATION.

(a) Registration of aircraft.

A	B	C
Statute Sections 100.42 (1)(a)	Old Cross-References 114.002 (2)	New Cross-References 114.002 (3)

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(c) *Appropriation changes.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.395 (1)(ey), as renumbered	par. (cx)	par. (ex)
20.395 (9)(rd)	sub. (2)(fg)	sub. (2)(dq)
83.42 (8m)	20.395 (4)(aq)	20.395 (3)(hq)
195.28 (2)	20.395 (2)(bq) and (bx)	20.395 (4)(bq) and (bx)

(d) *Advance airport land acquisition loan program.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
114.33 (6)	s. 114.35	ss. 114.35 and 114.37

(e) *Transit assistance programs.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.395 (1)(bv)	85.05	85.20
20.395 (1)(bv)	85.08 (7)	85.23
20.395 (1)(bx)	85.05	85.20
20.395 (1)(bx)	85.08 (7)	85.23
20.395 (1)(cr), as renumbered	85.08 (5)	85.21
121.54 (1)	85.05	85.20

(55) VETERANS AFFAIRS.

(a) *Institutional operations.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.485 (1)(m)	par. (k)	par. (gk)
45.37 (9d)	20.485 (1)(k)	20.485 (1)(gk)
45.37 (15)(a)	20.485 (1)(a)	20.485 (1)(gk)
45.37 (16)(b)	20.485 (1)(k)	20.485 (1)(gk)

(56) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(a) *Deputy director position.*

A	B	C
Statute Sections	Old Cross References	New Cross-References
20.923 (14)	subs. (4), (8), (9) and (11) to (13)	subs. (4), (8), (9), (11) and (12)
20.923 (16)	subs. (2), (4), (5) and (8) to (13)	subs. (2), (4), (5) and (8) to (12)

(57) OTHER.

(b) *Office building rentals.*

A	B	C
Statute Sections	Old Cross-References	New Cross-References
20.505 (1)(kf)	20.865 (2)(a) and (e)	20.865 (2)(a), (ag) and (e)

SECTION 2203. **Initial applicability.**

(1) ADMINISTRATION.

(a) *Report of full-time equivalent positions in contractual services.* The treatment of section 16.705 (8) (b) of the statutes by this act first applies to contracts for which performance has been completed on or after July 1, 1981, or on the day following publication of this act, whichever is later.

(7) CIRCUIT COURTS.

(a) *Reimbursement for juvenile legal defense.* The treatment of section 48.275 of the statutes and the creation of section 48.275 (2) of the statutes by this act and SECTION 2202 (41) (a) of this act first apply to proceedings relating to petitions filed under section 48.12 and 48.13 of the statutes on or after the first day of the 2nd month commencing after publication of this act.

(14) EMPLOYMENT RELATIONS COMMISSION.

(a) *Filing fees.* The creation of sections 111.09 (2), 111.71 (2) and 111.94 (2) of the statutes by this act first applies to unfair labor practice and prohibited practice complaints and requests for arbitration services filed on or after July 1, 1982.

(20) HEALTH AND SOCIAL SERVICES.

(a) *Licensing fees.* The increase in licensing fees due to the treatment of sections 50.53 (1), (2), (3) (a) and (b), (4), (5), (7) (b) and (c) and (8) and 140.05 (17) and (17) (figure) of the statutes by this act apply to licenses issued for fiscal year 1981-82 and to licenses issued for subsequent fiscal years.

(25) INDUSTRY, LABOR AND HUMAN RELATIONS.

(b) *Renewable energy resource system refunds.* The treatment of section 101.57 (1d), (1n), (4) (a) and (b), (5) (intro.) and (b) to (d), (5g), (5r), (6), (8) (a) and (dm) to (g), (9) and (10) of the statutes by this act first applies to expenses incurred on October 1, 1981.

(26) INSURANCE.

(a) *Insurers' deductions.* The treatment of sections 76.65 (1) (a) ~~and 76.89~~ of the Vetoed statutes by this act first applies to license fees in respect to calendar year 1981 assessed in in Part 1982.

(b) *Insurance coverage.* The treatment of section 632.89 (2) (d) of the statutes by this act applies to contracts or joint contracts issued or renewed after the effective date of this act.

(38) NATURAL RESOURCES.

(a) *Natural resource assessment revision.* The treatment of sections 29.60 (2), 29.64, 29.641, 29.642 (1) (a) and (b) and (2), 29.643 (1) and (2), 29.644, 29.99 (1), (2) (a) and (b) and (3) to (9) and 29.997 (1) (a) of the statutes by this act applies to any violation which occurs on or after July 1, 1981, or on the day following publication of this act, whichever is later.

(42) PUBLIC INSTRUCTION.

(a) *Computation of membership and shared cost.* The treatment of sections 121.004 (2), (3) and (8) (a), (b) and (c), 121.05 (1) (intro.), (a) (intro.) and (b), (2) and (3), 121.07 (6) (a) and (b), 121.82 (2) (a), 121.85 (1) (c) and 121.90 (1) of the statutes by this act first applies to the computation of school district membership and shared cost for the 1982-83 school year.

(b) *Cost control modifications.* The treatment of section 121.91 (1) and (1m) of the statutes by this act first applies to the determination of a school district's maximum controllable cost for the 1981-82 school year.

(45) REVENUE.

(a) *Minor violations of levy limits.* The treatment of sections 60.175 (6), 61.46 (3) (f), 62.12 (4m) (f), 65.07 (2) (f) and 70.62 (4) (f) of the statutes by this act first applies to levies made in 1981.

(b) *Reference to internal revenue code.* The treatment of sections 72.12 (4) (c) 1 and 72.22 (4) (a) of the statutes by this act first applies to transfers because of deaths occurring on July 1, 1981.

(f) *Microwave and satellite facilities.* The treatment of section 76.38 (1) (b) and (2) (c) of the statutes by this act first applies to taxes assessed in 1982.

(g) *Interest rates.* The treatment of sections 71.09 (5) (a) and (13) (a), 71.10 (5) (a) and (b), 71.13 (1) (b), 71.20 (5) (c), 71.21 (11), 71.22 (8), 72.22 (4) (a), 72.23 (1), 72.85 (3), 72.86 (1), 76.13 (2), (2a) and (3), 76.38 (12) (a), 76.39 (4) (d), 76.48 (5), 77.60 (1) and 101.57 (12) of the statutes by this act first applies to all determinations, assessments or other actions made by the department of revenue on August 1, 1981, regardless of the taxable period to which they pertain.

(h) *Manufacturing reports.* The treatment of section 70.995 (12) (c) of the statutes by this act first applies to reports due on the March 1 following publication of this act.



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(i) *Dividends received from corporations.* The treatment of section 71.04 (4) (intro.) of the statutes by this act first applies to taxable year 1980.

(j) *Deduction and decrease in basis for imputed interest.* The treatment of section 71.04 (15) (h) of the statutes by this act first applies to purchases made during taxable year 1981.

(k) *Involuntary conversion of corporate property.* The treatment of section 71.03 (1) (g) 3 of the statutes by this act first applies to involuntary conversions occurring in taxable year 1981.

(L) *Income tax consequences of corporate reorganizations.* The treatment of sections 71.358 (5), 71.362 (2) and 71.368 (1) (a) 2 and (b) 3 to 5 and (2) of the statutes by this act first applies to taxable year 1981.

(n) *Deduction for additions to tax.* The treatment of section 71.23 of the statutes by this act first applies to taxable year 1981.

**Vetoed in Part** (o) *Property taxes and rent credit.* The treatment of section 71.53 (1) ~~(c) and~~ (d) of the statutes by this act first applies to taxable year 1981.

(p) *Deadline for filing for tax refunds and credits.* The treatment of section 71.10 (10) (bn) of the statutes by this act first applies to tax returns for the 1981 taxable year.

(q) *Proration of exemptions.* The treatment of section 71.09 (6p) (d) 1 of the statutes by this act first applies to taxable year 1981.

(r) *Reports on inventory.* The treatment of section 71.10 (7) of the statutes by this act first applies to tax returns filed for taxable year 1981.

(s) *Definition of "gross income"* The treatment of section 71.10 (2) (d) of the statutes by this act first applies to taxable year 1981.

(t) *Income tax filing extensions for cooperatives and DISCs.* The treatment of section 71.10 (5) (a) of the statutes by this act first applies to returns required to be filed for taxable year 1981.

(u) *Sales tax exemption for property exchanged for stock.* The treatment of section 77.51 (4g) (e) to (g) and (10) (b) of the statutes by this act first applies to transfers occurring on the effective date of this act.

(v) *False claims for credit.* The treatment of section 71.09 (13) (c) and (cm) of the statutes by this act first applies to claims filed on or after the effective date of this act.

**Vetoed in Part** ~~(w) *Entertainment expenses.* The treatment of section 71.04 (2) (c) of the statutes by this act first applies to taxable year 1981.~~

**Vetoed in Part** ~~(x) *Franchise taxation of integrated oil companies.* The treatment of section 71.01 (2) and (5) of the statutes by this act first applies to taxable year 1982.~~

(y) *Definition of income.* 1. The treatment of section 71.09 (7) (a) 1 of the statutes by this act first applies to applications for credits filed in 1982 in respect to property taxes levied in 1981.

**Vetoed in Part** \*2. The treatment of sections 71.09 (11) (a) 6. a and b and ~~71.09 (11) (bn)~~ of the statutes by this act first applies to claims filed for the taxable year 1981.

(z) *County levy limits.* The treatment of section 70.62 (4) (em) 7 of the statutes by this act first applies to 1981 levies, payable in 1982.

(zn) *Situs of trusts.* The treatment of section 71.07 (7) (b) 2 of the statutes by this act first applies to taxable year 1981.

(znr) *Deductions.* The treatment of section 71.01 (4) (a) 6 and 8 of the statutes by this act first applies to taxable year 1981.

(zp) *Electrical cooperatives' rates.* The treatment of the tax rate in section 76.48 (1) of the statutes by this act first applies to assessments made in 1982.

\* Governor attempted subsequent removal of veto in this subdivision. See 70 O.A.G. 154 (1981); see also 1981 Laws, Chap 93, s. 187 (45) (a).

(zq) *Real estate transfer fees.* The treatment of section 77.24 of the statutes and the treatment of the rates in section 77.22 (1) of the statutes by this act first apply to transfers occurring on September 1, 1981.

(zr) *Challenges of assessment.* The treatment of section 71.11 (19) (d) of the statutes by this act first applies to assessments made on the date of publication of this act.

(zs) *Clarification that federal taxes are not deductible.* The treatment of sections 71.02 (1) (c) and 71.11 (8) (b) of the statutes by this act and the portion of section 71.04 (3) of the statutes relating to taxes on income, excess or war profits and capital stock taxes imposed by the federal government as treated by this act first applies to taxable year 1975.

(zt) *Municipal and county levy limits.* The treatment of sections 60.175 (1), 61.46 (3) (a), 62.12 (4m) (a), 65.07 (2) (a) and 70.62 (4) (a) of the statutes as it relates to the inclusion of the value of property eligible for relief under section 79.17 of the statutes in the equalized value of all general property assessed in this state first applies to levies made in 1982 and payable in 1983.

(zx) *Refunds of real estate transfer fees.* The treatment of the percentage of erroneous fees remitted to the state in section 77.28 of the statutes by this act first applies to refunds of transfer fees paid on transfers occurring on or after September 1, 1981.

(51) TRANSPORTATION.

(b) *Common carrier permits.* The treatment of section 194.04 (4) (a) to (c), (cm) and (cr) of the statutes by this act first applies to applications received for permits for the registration period beginning January 1, 1982.

(c) *Registration fees for vehicles with shipping weights of 1,000 pounds or less.* The treatment of section 341.25 (1) (b) and (bn) of the statutes by this act first applies beginning with the first full registration period of the affected vehicles following publication of this act.

(e) *Transit assistance programs.* The creation of section 85.20 (4m) of the statutes by this act first applies to all operating assistance contracts entered into by the department of transportation on or after the general effective date of this act. Contracts entered into before the effective date of this act shall be governed by the law in effect at that time.

(h) *Fines and forfeitures under chapter 348, transfer to transportation fund.* The treatment of sections 25.40 (1) (ig) and 59.20 (8) and (8m) of the statutes by this act first applies to fines and forfeitures collected on January 1, 1982.

(q) *Town road bridge standards.* The treatment of section 86.26 (1), as renumbered, of the statutes by this act first applies to improvements on town road bridges initiated after the effective date of this act.

(t) *Aircraft registration.* The treatment of section 114.20 (9) and (10) of the statutes by this act first applies to applications received for aircraft registration for the registration period beginning November 1, 1981.

~~(u) *Transportation projects approval.* Section 13.489 (8) and (9) of the statutes as created by this act, first applies to approval of transportation projects for the 1983-85 fiscal biennium.~~

~~(v) *Transportation projects approval required.* The treatment of sections 84.01 (2), (15), (17), (18) (d) and (27), 84.03 (3) (a) and (9) (a), 84.05, 84.06 (1) to (4), and (6), 84.09 (8), 84.11 (7), 84.12 (7), (9) (b) (intro.), 84.13 (intro.), 84.135 (7), 84.14 (1), 84.15 (1), 84.25 (3), 84.29 (9), 84.295 (11), 84.51 (1) and (4), 84.52 (1) and (3), 84.53 (1) and (3), 85.08 (8), 85.09 (2), 85.095 (2) (intro.), 114.32 (6), 114.33 (13), 114.34 (4), 114.35, 195.28 (5) and 195.29 (9) of the statutes by this act first applies to transportation projects for the 1983-85 biennium.~~

Vetoed  
in Part

**Vetoed in Part** ~~(w) *General aviation fuel tax.* The treatment of section 78.555 of the statutes by this act first applies to general aviation fuel placed in the fuel supply tank of a general aviation aircraft or into the bulk storage facility of a general aviation fuel user on or after the effective date of this act.~~

(53) UNIVERSITY OF WISCONSIN SYSTEM.

(a) *Legislative fee remission.* The treatment of sections 20.285 (2) (d) and 36.27 (3) (e) of the statutes by this act first applies to the 1982 fall semester.

(b) *Application fee.* The treatment of section 36.11 (3) (d) 1 of the statutes by this act first applies to applications for admittance for the 1982 fall semester.

(56) VOCATIONAL, TECHNICAL AND ADULT EDUCATION.

(a) *Allowable budget exclusions.* The treatment of section 38.29 (1) of the statutes by this act first applies to the calculation of a district's allowable budget for the 1982-83 school year.

(b) *Cost control appeal.* The treatment of section 38.29 (3) (e) of the statutes by this act first applies to applications to the board under section 38.29 (3) (intro.) of the statutes for the 1982-83 school year.

(c) *Fees for post-secondary and vocational-adult programs.* The treatment of section 38.24 (1) (b) of the statutes by this act first applies to fees for programs offered in the 1982-83 school year.

(57) OTHER.

(a) *Tax incremental financing.* 1. The amendment of section 66.46 (4) (c) and (e) of the statutes by this act does not apply to project plans for which notice under section 66.46 (4) (e) of the statutes has been given before the effective date of this act or to project plans for tax incremental districts where the local legislative body has adopted a resolution creating the district before the effective date of this act.

2. The amendment of section 66.46 (4) (g) of the statutes by this act applies only to project plans for tax incremental districts created pursuant to adoption of a resolution on or after the effective date of this act.

**Vetoed in Part** 3. ~~The authority of the department of revenue to refuse to certify the tax incremental base of a tax incremental district unless it finds that the district's project plan is sufficiently detailed to compare actual expenditures with the plan during future compliance audits, specified in section 66.46 (5) (d) of the statutes, as affected by this act, and the amendment of section 66.46 (4) (f) of the statutes by this act, apply only to project plans approved by the local legislative body on or after the effective date of this act.~~

**Vetoed in Part** 4. ~~The treatment of section 66.46 (2) (k), except as it relates to tax incremental districts including farmland devoted primarily to agricultural use, as defined in section 91.01 (5) of the statutes, and (4) (gm) 1, 4. a and bm and 5 of the statutes by this act applies only to tax incremental districts created pursuant to adoption of a resolution on or after the effective date of this act. The treatment of section 66.46 (2) (k) of the statutes by this act as it relates to tax incremental districts including farmland devoted primarily to agricultural use, as defined in section 91.01 (5) of the statutes, does not apply to districts for which the planning commission has designated tax incremental district boundaries under section 66.46 (4) (b) of the statutes before October 1, 1981, and which are created under section 66.46 (4) (gm) 2 of the statutes on or before January 1, 1982.~~

5. The amendment of section 66.46 (4) (h) of the statutes by this act does not apply to project plan amendments for which notice under section 66.46 (4) (h) of the statutes has been given before the effective date of this act.

6. a. Section 66.46 (6m) (a) and (c) of the statutes, as created by this act, applies to all project plans adopted by a local legislative body and requires annual reports beginning the first calendar year commencing after the effective date of this act.

b. The treatment of section 66.46 (6m) (b) 1 of the statutes by this act applies to all tax incremental districts created on or after October 1 of the year immediately preceding the effective date of this act.

c. The treatment of section 66.46 (6m) (b) 2 of the statutes by this act applies to all tax incremental districts created on or after October 1 of the 5th year immediately preceding the effective date of this act.

d. The treatment of section 66.46 (6m) (b) 3 of the statutes by this act applies to all tax incremental districts terminated on or after the effective date of this act.

7. The treatment of section 79.03 (3) (b) 3 and 4.a of the statutes by this act applies commencing with the 1982 distribution of shared revenues under section 79.03 of the statutes.

**SECTION 2204. Effective dates.** All sections of this act take effect on July 1, 1981; or on the day following publication, whichever is later, unless another date is provided in such sections and except as further provided in this section.

(3) AGRICULTURE, TRADE AND CONSUMER PROTECTION.

(a) *Soil and water conservation.* The treatment of sections ~~15.07 (1) (b) 8 and (5) (b), 15.131 (4), 15.135 (4), 15.911 (1), 15.915 (1), 20.115 (7) (title), (a), (b), (c) and (m), 33.28 (2), 36.25 (7), 59.47 (2m), 59.872, 59.878 (2) and (3), 60.18 (22), 80.39 (2), 84.02 (3) (a), 84.11 (3), 91.13 (8) (d), 144.251, 236.12 (2) (c) and 893.73 (1) (c) and chapter 92 of the statutes by this act, the repeal of section 20.835 (2) of the statutes by this act and SECTIONS 2200 (3) (a) and 2201 (3) (a) of this act take effect on July 1, 1982.~~

Vetoed  
in Part

~~(b) *Farmland preservation.* The treatment of sections 15.07 (1) (b) 6 and (5) (a), 15.131 (3), 15.135 (3) and 91.01 (2) of the statutes by this act and SECTION 2201 (3) (b) of this act take effect on July 1, 1983.~~

Vetoed  
in Part

(7) CIRCUIT COURTS.

(a) *Reimbursement for juvenile legal defense.* The treatment of section 48.275 of the statutes and the creation of section 48.275 (2) of the statutes by this act and SECTION 2202 (41) (a) of this act take effect on the first day of the 2nd month commencing after publication of this act.

(13) EMPLOYEE TRUST FUNDS.

(a) *Limited term employee benefits.* The treatment of section 41.02 (6) (a) and (b) of the statutes and the creation of sections 40.11 (2) (fm) and 41.02 (6) (b) 2 of the statutes by this act take effect on July 1, 1983.

(18) EXECUTIVE PROGRAMS.

(a) *Council on criminal justice.* The repeal of section 20.530 (1) of the statutes by this act takes effect on June 30, 1984.

(20) HEALTH AND SOCIAL SERVICES.

(b) *Average inpatient stays.* The treatment of sections 46.031 (2) (c) 5.d and 51.42 (8) (k) 4 and (L) of the statutes by this act takes effect on January 1, 1982, or on the day following publication, whichever is later.

(d) *Relief to needy Menominee Indians.* The treatment of section 49.046 (1) of the statutes by this act, except the treatment by SECTION 2202 (20) (r) of this act, takes effect on October 1, 1982, or on the day following publication, whichever is later.

(i) *Juvenile correctional services: various provisions.* The treatment of sections 15.197 (13), 20.435 (3) (hm) and (ho) and 46.26 (5) of the statutes and section 46.26 (4) (d) to (g) of the statutes by SECTION 780 of this act by this act takes effect on January 1, 1983, or on the day following publication, whichever is later.

(j) *Juvenile correctional services: general program operations.* The treatment of section 20.435 (3) (am) of the statutes by this act takes effect on July 1, 1982, or on the day following publication, whichever is later.

(L) *Senior centers.* The treatment of section 46.80 (7) of the statutes by this act and SECTION 2202 (20) (g) of this act takes effect on January 1, 1982, or on the day following publication, whichever is later.

(n) *Billing developmental disabilities boards.* The treatment of section 51.437 (12) (d) of the statutes by this act takes effect on January 1, 1982.

(s) *Distribution of domestic abuse grants.* The treatment of section 46.95 (2) (e) of the statutes by this act takes effect on January 1, 1982.

(t) *Powers of community mental hygiene boards.* The treatment of sections 51.42 (5) (intro.), (a), (b), (c), (d), (e), (f) and (g) and (5m), 51.437 (1) and 51.45 (3) (d) and (7) (b) 7 of the statutes by this act and SECTION 2202 (20) (q) of this act takes effect on January 1, 1982, or on the day following publication, whichever is later.

(u) *Agent orange victims.* The repeal of section 20.435 (1) (r) of the statutes by this act takes effect on June 30, 1982.

(v) *Rates for residential child care centers.* The treatment of section 46.037 of the statutes by this act takes effect on January 1, 1982, or the day following publication, whichever is later.

(w) *Shelter care aids.* The treatment of sections 20.435 (2) (c), 48.22 (6) and 49.52 (1) (dm) of the statutes by this act takes effect on January 1, 1982.

(x) *Supplemental security income.* The creation of section 49.177 (3g) of the statutes by this act takes effect on the first day of the 4th month following publication.

(25) INDUSTRY, LABOR AND HUMAN RELATIONS.

(a) *Renewable energy resource system refunds.* The treatment of section 101.57 (1d), (1n), (4) (a) and (b), (5) (intro.) and (b) to (d), (5g), (5r), (6), (8) (a) and (dm) to (g), (9) and (10) of the statutes by this act takes effect on October 1, 1981.

(26) INSURANCE

(a) *Fire department dues.* The treatment of section 601.93 (2) of the statutes by this act relating to quarterly instalments and the treatment of section 76.64 of the statutes by this act takes effect on the first day of the calendar quarter beginning at least 60 days after publication of this act.

(38) NATURAL RESOURCES.

(c) *Local park aids.* The repeal of section 20.370 (4) (ic) of the statutes by this act takes effect on June 30, 1983.

(42) PUBLIC INSTRUCTION.

(b) *Library systems planning grants.* The treatment of sections 20.255 (3) (c), 43.11 (2) (c) and 43.23 of the statutes by this act takes effect on July 1, 1982.

(44) REGULATION AND LICENSING.

(b) *Barbers and cosmetologists; practical demonstrations.* The treatment of sections 457.01 (13), 457.06 (3) and 458.06 (2) of the statutes by this act takes effect on July 1, 1982.

(45) REVENUE.

(a) *Shared revenue.* 1. The treatment of sections 20.835 (1) (c) and (2) (a) (title) and (ds), 25.50 (3) (b), 70.665, 70.996, 74.03 (10) (b), 79.006, 79.02 (2) (am), except for the date change and the cross-reference change, and (b), 79.03 (2) and (3) (a), (b) 1, b, 4 and 5 to 8 and (c), 79.06, 79.10 (title), (2), (3) (b), (4) (d), (5), (6) and (7), 79.175 (1) and (2) and 79.20 of the statutes, and the creation of SECTIONS 2201 (1) (a) and 2202 (45) (b) of this act take effect on January 1, 1982.

2. The treatment of section 79.10 (3) (c) of the statutes by this act takes effect on July 1, 1982.

~~(b) School taxes. The treatment of sections 70.114, 70.116, 70.117 and 70.175 of the statutes and SECTION 2201 (20) (b) of this act by this act takes effect on January 1, 1982.~~ Vetoed in Part

(c) *Offsetting debts owed to state agencies.* The treatment of sections 20.566 (1) (h), 46.255 (3) and (4), 71.105, 71.11 (44) (gm) and 71.12 (1) (a) of the statutes by this act takes effect on February 1, 1982.

(d) *Adjustments due to rate changes in the motor fuel tax.* The treatment of section 78.22 of the statutes by this act takes effect on the day following publication of this act.

(e) *Increase in motor fuel tax and special fuel tax.* The treatment of sections 78.01 (1), 78.14 and 78.40 (1) of the statutes by this act takes effect on August 1, 1981, or the first day of the first month commencing after publication, whichever is later.

(f) *Deadlines in 2nd class cities with boards of assessors.* The treatment of sections 70.10, 70.365 and 70.50 of the statutes by this act takes effect on January 1, 1982.

(g) *Cigarette tax.* The treatment of section 139.31 (1) (a) and (b) and (2) of the statutes by this act takes effect on August 1, 1981, or the first day of the first month beginning after publication, whichever is later.

(h) *Filing in regard to excise taxes.* The treatment of sections 78.49 (1) and (3), 78.68 (1) (a) and (b) and (2), 139.11 (2) and 139.38 (2) of the statutes and the creation of sections 78.49 (1) (b) and 139.38 (2) (b) of the statutes by this act take effect on the first day of the calendar quarter beginning at least 60 days after publication of this act.

(i) *Liquor and wine tax.* The treatment of section 139.03 (2m), (2n) and (4) of the statutes by this act takes effect on August 1, 1981, or the first day of the first month beginning after publication, whichever is later.

(j) *Sales tax exemption for fuel.* The treatment of section 77.54 (6) (c) of the statutes by this act takes effect on the first day of the 3rd month beginning after publication.

(k) *Sales tax exemption for sewerage districts.* The treatment of section 77.54 (9a) (d) of the statutes takes effect on the first day of the 3rd month commencing after publication.

(L) *Nonprofit radio stations.* The treatment of section 70.11 (29) of the statutes by this act takes effect on the January 1 following publication.

(m) *Tobacco products tax.* The treatment of subchapter III of chapter 139 of the statutes by this act takes effect on October 1, 1981 or on the first day of the 2nd month beginning after publication, whichever is later.

~~(n) Sales tax exemption for American Legion baseball teams. The treatment of section 77.54 (31) of the statutes by this act takes effect on the first day of the 3rd month beginning after publication.~~ Vetoed in Part

~~(47) SECRETARY OF STATE.~~

~~(a) Corporation filing fees. The treatment of sections 20.575 (1) (g), 180.793 (1), (2) and (4), 180.835, 180.87 (1) (j) and (d) and 180.99 (11) of the statutes and the creation of section 180.835 (3) of the statutes by this act take effect on January 1, 1982.~~ Vetoed in Part

(51) TRANSPORTATION.

(a) *Changes in operator's licenses and identification cards.* The treatment of sections 155.06 (6) (a) 5 and (b), 343.17 (1) (a), (b) and (c), (2), (3) (b) and (4), 343.20 (1m) and 343.21 (1) (a) and (f) of the statutes and SECTION 1848r of this act by this act takes effect on January 1, 1982.

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(c) *Common carrier permits.* The treatment of sections 194.04 (4) (a) to (c), (cm) and (cr) and 341.41 (1) and (1a) of the statutes by this act takes effect on January 1, 1982.

(e) *Registration fees.* The treatment of section 341.30 (3) of the statutes by this act takes effect on September 1, 1981, or the first day of the 3rd month commencing after publication, whichever is later.

(g) *Fees for oversize and overweight vehicle permits.* The treatment of sections 348.25 (8) and 348.27 (2) and (4) of the statutes by this act takes effect on September 1, 1981.

(h) *Fines and forfeitures under chapter 348, transfer to transportation fund.* The treatment of sections 25.40 (1) (ig) and 59.20 (8) and (8m) of the statutes by this act takes effect on January 1, 1982.

(i) *Aircraft registration.* The treatment of sections 114.002 (2) to (20) and 114.20 of the statutes by this act and SECTIONS 2201 (51) (a) and 2202 (51) (a) of this act take effect on November 1, 1981.

(j) *Automobile registration fee.* The treatment of section 341.25 (1) (a) of the statutes by this act takes effect on September 1, 1981.

(k) *Fees for counter services.* The treatment of section 341.255 of the statutes by this act takes effect on September 1, 1981.

(L) *Motor truck registration fee.* The treatment of section 341.25 (2) of the statutes by this act takes effect on January 1, 1982.

(m) *Operating a motor vehicle under the influence of intoxicant or controlled substance.* The treatment of sections 20.285 (1) (ia), 20.395 (5) (ch), 20.435 (2) (hx) to (hz), 46.03 (18) (f) (by SECTION 736a), 59.20 (5) (b), 59.395 (5), 66.12 (1) (b) and (c), 346.655, 973.05 and 973.07 of the statutes by this act takes effect on the first day of the 6th month following its publication.

(n) *Operating a motor vehicle under the influence of intoxicant or controlled substance.* The treatment of sections 51.42 (5) (b) (by SECTION 925a), 343.10 (1), (6) and (6m), 343.16 (2) (a), 343.30 (1q) (by SECTION 1568a), 343.303, 343.305 (title), (1), (2) (a), (am), (b), (c) and (d), (3) (a) 2, (b), (c) and (d), (5), (6) (a), (7), (8), (9) (by SECTION 1568q) and (10) (c) and (d), 343.307, 343.31 (1) (am), (3) (e) to (h) and (3m), 343.44 (2), (3) to (5), 345.20 (2) (c), 345.24, 345.60 (3), 346.63 (1), (2) and (4), 346.635, 346.637, 346.65 (2) and (3), 346.74 (5), 346.935, 349.03 (2), 349.06 (1), 885.235 (1), (2a), (3) and (4), 940.09, 940.25 and 967.055 of the statutes, the creation of section 343.10 (6) (a) and (b) of the statutes and SECTIONS 2020 (14), 2051 (13) to (16), 2053 (6) and 2201 (20) (t) [(f)] of this act by this act takes effect on the first day of the 10th month following publication.

(o) *Moped definition.* The treatment of sections 218.40 (2) and 340.01 (29m), (30) and (33) of the statutes, the creation of section 340.01 (29m) (b) of the statutes and SECTION 2051 (19) of this act by this act take effect on the first day of the 2nd month following publication.

(p) *General aviation fuel tax.* The treatment of sections 25.40 (1) (b), 77.54 (11), 78.04 (1), 78.13 (2), 78.43, 78.50 (2), 78.55 to 78.62, 78.65 (1) and (2), 78.66 (title), (1) and (2), 78.68 (1), (2), (4) (intro.) and (5), 78.70 (1) (intro.), (2) and (4), 78.71, 78.73 (1) (e), 78.77, 78.78 (1), 78.80 and 78.84 and chapter 78 (title) and subchapter III of chapter 78 of the statutes and SECTION 2203 (51) (v) of this act by this act takes effect on January 1, 1982.

Vetoed  
in Part

(53) UNIVERSITY OF WISCONSIN SYSTEM.

(a) *WHA and WHA-TV.* The treatment of section 36.25 (5) of the statutes by this act takes effect July 1, 1982.

~~(55) VETERANS AFFAIRS.~~

~~(a) Increase in educational benefits for part-time graduate students. The treatment of section 45, 396 of the statutes by this act takes effect retroactively to January 1, 1980.~~

Vetoed  
in Part

(57) OTHER. (a) *Marriage licenses.* The treatment of sections 69.23 (4), 69.49, 765.002 (3), 765.05, 765.06, 765.07, 765.08, 765.09, 765.11 (1), 765.12, 765.13, 765.14, 765.18, 765.19, 765.20 and 765.30 (1) (a) to (e), (2) (b), (3) (a) and (4) (a) of the statutes by this act, the creation of section 765.002 (3) to (5) of the statutes by this act and SECTIONS 2057 (8), 2200 (57) (a) and 2201 (20) (e) and (53) (b) of this act take effect on the 91st day commencing after the day of publication.

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